The New City of Hamilton

Planning and Development Department

PUTTING PEOPLE FIRST:
THE NEW LAND USE PLAN FOR DOWNTOWN HAMILTON

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2.4.1 INTRODUCTION

The Downtown Hamilton Secondary Plan is the first formal plan for the Downtown core and will form part of the Official Plan for the new City of Hamilton. The Plan takes an innovative approach, focusing on the overall roles and physical form of the Downtown rather than dwelling on regulatory details. The intent of the Plan is to foster a dynamic mix of urban residential, commercial and institutional activities across the Downtown. It is only on the periphery where a single use, residential, is predominant in order to ease the transition into the neighbourhoods surrounding the Downtown.

Downtown Hamilton has been exposed to the same series of stresses that have threatened the well being of city centres across North America since the Second World War. Disruptive urban renewal schemes, the dominance of vehicular over pedestrian needs, changes in retailing and a population shift toward suburban areas undermined the traditional roles of the Downtown. Longstanding community concern about Downtown Hamilton has peaked since the economic slowdown of the early 90s.

During the past decade a series of community workshops, special events and planning processes generated exciting and innovative ideas and recommendations for the Downtown. *A Market Place for Ideas, Strong Medicine, the Ferguson Avenue Revitalization Project, the Gore Heritage Design Study* and *Smart Moves* are just examples of the community's visions generated from the outcomes of these efforts. Many of the ideas generated related to the physical aspects of the Downtown including the design of buildings, streets and spaces and the use of public land.

In 1998 Hamilton City Council decided that the time was right to draw these suggestions together in a new plan for the Downtown. The Downtown planning process began with the preparation of a new overall strategy or vision for the entire area called the Downtown Secondary Plan Design Strategy. This Plan translates the Vision contained in the Design Strategy into policies to regulate the design and physical development of the Core. An Economic and Development Financing Review was also undertaken to provide background information and guidance for the secondary planning process.

Upon adoption by City Council the Secondary Plan will become part of the City's Official Plan meaning that Council is legally obligated to implement its policies. The Secondary Plan has two important functions. First, it presents the community's vision for the future of the Downtown to guide public and private decision-making. Secondly, the Plan indicates what the City's priorities will be for publicly funded initiatives in the Downtown. In effect, the Plan serves as a reinvestment strategy that will assist Council and the Administration in preparing annual budgets and public improvement programs.

2.4.2 A VISION FOR DOWNTOWN HAMILTON

"The Downtown Hamilton of the future will be a vibrant focus of attraction where all our diverse people can live, work and play. The future Downtown must be built on a human scale, with streetscapes offering comfort, access and safety for pedestrians. The future Downtown will combine the best of our heritage with new commercial and domestic architecture and use. The future Downtown will redirect our gaze from the urban core to the surrounding neighbourhoods, the waterfront, and the escarpment, seamlessly linking commerce, housing and recreation."

This vision was based on the goals for Downtown Hamilton identified by the participants in a two-day workshop held on February 27 and 28, 1998. The results of this workshop are contained in the report entitled "Downtown: A Market Place for Ideas" prepared for the City of Hamilton by the American Communities Partnership, September 1998.

2.4.3 THE SECONDARY PLAN

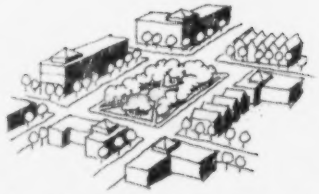
2.4.3.1 Secondary Plan Principles

The Downtown Secondary Plan Design Strategy identified six principles to guide the preparation of this Secondary Plan. Initiatives and proposals for the Downtown are to be evaluated against these principles to ensure that the City is taking a consistent approach to Downtown revitalization.

- **Use public realm improvements as the catalyst for revitalization:**
  The Plan emphasizes the importance of streets and public spaces. By supporting landscaping, park enhancements, public art and pedestrian amenities the City signals its pride and confidence in the Downtown. A focus on improved public spaces will be used to stimulate property values and investment in adjacent private properties.

- **Strengthen the connection to neighbourhoods, the Waterfront, the Escarpment and other surrounding features or attractions:**
  At present Downtown Hamilton is surrounded by a ring of vacant properties used primarily as parking lots. These vacant lands tend to isolate the core area from the surrounding neighbourhoods. Downtown is also cut off from important places like the West Harbourfront and the Niagara Escarpment. The Ferguson Avenue Revitalization Program and other recent initiatives are helping to reconnect the Downtown to these important places and people nearby. The Secondary Plan supports a number of projects to foster linkages.

- **Make downtown living attractive:**
  Creating a residential neighbourhood in the Downtown core has long been recognized as key to its revitalization. Downtown residents are a convenient market for Downtown retailers and service providers. The ability to walk or bike to work, stores and entertainment facilities will reduce both vehicle trips and the growing demand for parking in the core. Increased densities along major routes into the Downtown will support the public transit system. The Secondary Plan identifies opportunities for a range of housing types catering to a variety of income levels and household characteristics. The Plan also commits the City to providing the public services and amenities required by future Downtown residents.



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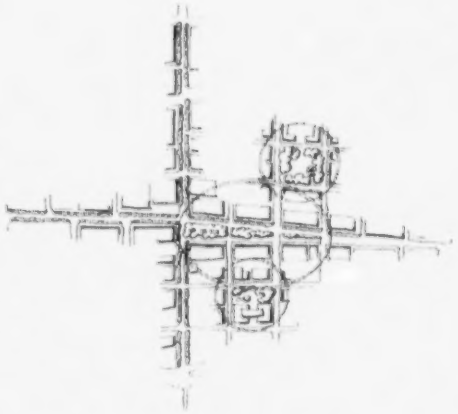
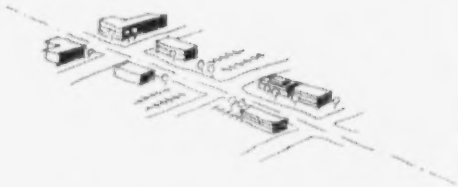
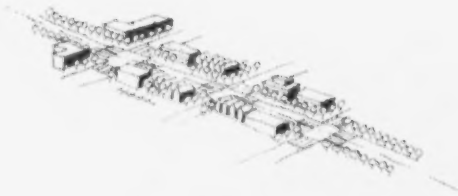


Build on existing strengths





Recognise the value of modest improvements and changes

- **Build on existing strengths:**
  A tendency to focus on problems diverts community attention and energy away from the special features that give Downtown Hamilton a unique "niche" within the larger City. The presence of three levels of government ensures a degree of stability in the office sector. Hamilton Place, the Art Gallery of Hamilton and the duMaurier Centre are cultural centres found nowhere else in the community. Public facilities such as the Central Library, the Farmer's Market and Copps Coliseum are key attractions. While the Downtown's retail prominence has declined it is still a destination for those seeking specialized experiences, products and services. All these activities are set within an architecturally rich area. Hamilton's legacy of historic buildings and streetscapes are its greatest distinction and worthy of enhanced restoration effort. The Secondary Plan builds on these strengths.

- **Recognise the value of modest improvements and changes:**
  A desire for quick and simple solutions often nurtures "big project" responses to Downtown decline. In fact, experience across North America suggests that Downtown revitalization most often results from a collection of seemingly modest actions by individuals, small businesses and community organizations. Downtown decline did not happen overnight. Recovery is also a gradual process in response to a series of actions that work together to achieve community goals. This Plan identifies opportunities for a range of large and small actions.

- **Pursue a limited number of carefully designed and executed major projects:**
  In spite of the previous principle, there is still a place for large projects provided they contribute to achieving the goals of this Plan. Quite often large initiatives require significant public investment and the promised benefits may not be realized. Careful evaluation against the principles and policies of this Plan should assist in determining which major projects should be pursued.

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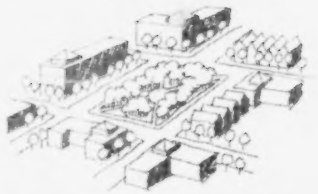

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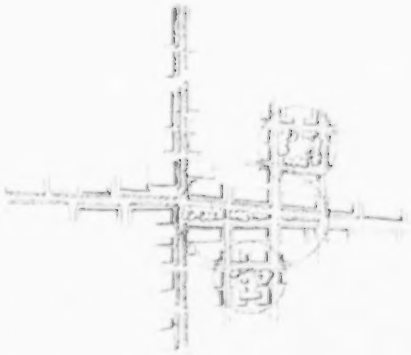

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2.4.3.2 The Overall Secondary Plan Framework

2.4.3.2.1 The Five Theme Areas of the Plan

The overall revitalization principles for the Downtown Secondary Plan are discussed in the previous section and in the Downtown Secondary Plan Design Strategy. The policies contained in the following sections outline how these principles are to be applied in public and private decisions for the Downtown.

The Secondary Plan policies are grouped into five themes:

- **Respecting Design and Heritage**

Downtown Hamilton is blessed with a rich architectural legacy. The heritage structures and spaces provide a physical history of the community. Conservation and reuse of these buildings not only enhances the Downtown but can serve as a catalyst for other public and private investments. Heritage buildings also provide living examples of design elements that can be reflected in new construction that complements rather than diminishes the surrounding streetscape. The Secondary Plan policies call for a greater emphasis on urban design and heritage conservation as critical elements of downtown revitalization.

- **Carving Out A Distinct Economic Role**

Policies for commercial land use recognize that the economic role of the Downtown has changed dramatically in recent decades. For many years Downtown Hamilton was the retailing heart of the entire community. This is no longer the case and this Plan acknowledges evolving retail patterns. Market research also indicates that there is limited potential for major office development in the Downtown core. At the same time there is increasing demand for entertainment related commercial activities as well as specialty retailing. Continued residential development within the Downtown will create a new market for a variety of resident oriented goods and services.

- **Creating Quality Residential Neighbourhoods**

While the Secondary Plan supports the creation of new housing throughout the Downtown, the Residential policy section is chiefly intended to foster the creation of quality residential precincts on areas surrounding the heart of the Downtown. The vacant commercial properties that isolate the Downtown from adjacent neighbourhoods are of particular interest in this regard. The policies of this Plan aim to ensure that new residential areas in the Downtown complement the scale and character of nearby established neighbourhoods.

- **Enhancing Streets and Public Spaces**

The Secondary Plan emphasizes the importance of the continued enhancement of the "public realm" in the Downtown. These are the streets and public places of the core area that knit together the individual buildings and structures. Better quality streets, the creation of new parks and the establishment of new landmarks will enhance the overall image of the City and demonstrate civic pride.

- **Establishing A New System for Planning Approvals**

The Province of Ontario has selected Hamilton as a pilot location for testing a new system for development approvals. The Secondary Plan contains policies for the implementation of this new approach. Under the Development Permit System the review and approval process for projects in the

Building Conversion

Downtown will be streamlined. A single permit will replace the standard zoning, committee of adjustment and site plan approvals required for most projects. Initially, this system will apply to the area bounded by Jackson, Catharine, James and Wilson Streets. In the long term it is expected that the entire Downtown Planning Area will be included in the development permit system.

2.4.3.2.2 From Plan to Action

Secondary Plans affect decisions and actions by both the public and private sectors. The policies of this Plan will be translated into new zoning regulations for the Downtown. The review and approval processes for development proposals will ensure that projects conform to the objectives and specific directions for land use contained in the Plan.

Each policy section includes a set of specific land use or design objectives to guide development approvals. If the policies contained in the section do not provide adequate guidance, reference should be made to these objectives to clarify the intent of the Plan.

This Plan also recommends a number of proposed public improvement initiatives as well as detailed guidance for the creation and enhancement of public assets in the Downtown.

2.4.3.3 General Policies

2.4.3.3.1 Land Use Policies

a) The Downtown Secondary Planning Area describes the lands bounded by Queen, Hunter, Wellington and Cannon Streets as depicted on Schedule "L-2" and referred to as the Downtown in this Plan. Policies applying to this Planning Area presently contained in the following plans are no longer in effect: Central Neighbourhood Plan, Central Area Plan, Durand Neighbourhood Plan, Corktown Neighbourhood Plan and Beasley Neighbourhood Plan.

b) There will be one "official" map showing the land use designations. At present, the Development Permit Demonstration Area will be shown as a blank rectangle without land use designations. Schedule "L-8", the Overall Land Use Strategy, provides the land use designations for the entire Downtown Planning Area.

c) This Secondary Plan has been developed in accordance with Provincial Policy supporting economic prosperity by maintaining the well being of downtown and main streets.

d) All public initiatives and private development approvals in the Downtown Secondary Planning Area will be subject to architectural and design peer review, in accordance with the policies of this Plan, to assist the City in ensuring that the design objectives and policies of this Plan are reflected in all projects.

e) In addition to the land uses described in Section 2.4.3.3 the following uses will be permitted throughout the Downtown:
- Public Uses including Schools
- Social service facilities
- Places of worship

f) The following shall apply to land uses shown on Schedule "L-1" as Public Uses:
   i) Whitehern – The current msueum use and its accessory functions are recognized as of the date of adoption of the plan. Any change in use will require an amendment to this plan.
   ii) Sir John A. MacDonald High School and Dr. J. Edgar Davy School – Should the school cease to exist, the permitted uses will be Low Density Residential in accor dance with this plan.

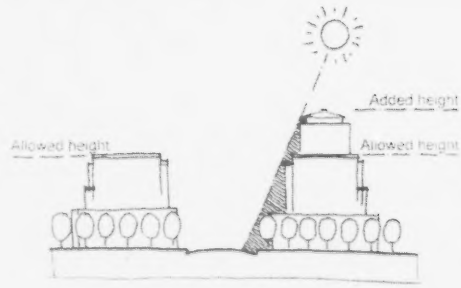
g) Surface parking lots existing on the date of adoption of this plan will be legal non-complying uses to this Plan. New surface parking lots shall not be permitted. Existing surface parking lots shall be permitted to expand under the following conditions:
- The expansion is minor in nature;
- The expansion does not result in a net increase of surface parking spaces on the site.

h) It is the intention of this Plan that density of development be achieved through complete site coverage rather than through building height in accordance with this Plan. All new development in the Downtown will be a minimum of two storeys in height and subject to height limitations as shown on Schedule "L-3" and in the specific policies of this Plan. Building height limitations fall into three ranges:
- Low rise - 2 to 4 stories
- Mid rise - 6 to 8 stories
- High rise - 12 to 15 stories

i. Building heights may be increased above that shown on Schedule "L-3", provided

Social Service Facilities Are...

Social services and facilities are defined as those services and facilities provided on a non-profit basis, intended to serve and meet the social and health service needs of municipal residents and the working population. The purpose of such facilities and services it to promote and improve the independence, economic self-sufficiency, social and health development of residents and workers and awareness of residents and workers in the local community. Social and health facilities include, but are not limited to, health care facilities, social agencies, churches and other religious facilities, daycare centres, community centres, recreation, libraries, fire halls, police stations and any accessory to such use, including offices.



Concept of added height

Concept of added height

that the upper stories are massed, stepped back, or terraced in order to ensure that the additional height, above that permitted will not result in: increased sun shadow impacts on public sidewalks or public spaces, and shall address the following:

- Coverage of the site, in accordance with this plan, is achieved;
- sun shadow impacts on public sidewalks or public spaces;
- wind impacts on public sidewalks;
- impacts on streetscapes and views of streetscapes, landmark structures or heritage buildings from the public sidewalks.
- Proponents may be required to submit a sun/shadow analysis, wind impact analysis or a visual impact analysis as part of the approval documentation for proposals that exceed height limitations.

ii. The City may permit an increase in height above the permitted height to accommodate decorative building elements such as towers or cupolas subject to the consideration for sun shadow, wind, and views listed above.

iii. Proposed increases in height must also demonstrate design consideration for the surrounding urban form.

iv. On the basis of the design principles and policies stated in this section; within the lands bounded by Main Street, Hess Street South, George Street and Caroline Street South, the massing and building heights of future development projects shall be permitted generally in accordance with the "Sun/Shade Study" prepared by RWDI Consultants, dated February 1, 2002. Sun shadow impacts are measured on March 21st and September 21st for the target area of the pedestrian realm on Hess Street, north of George Street.

i) Design and location of all signage and outdoor fixtures including sidewalk café enclosures, will respect the architectural integrity of the host building or site. Awning signs will be encouraged in pedestrian oriented areas.

j) Transfers of density or development rights will be accommodated within the Downtown Secondary Planning Area, except the Development Permit System Area, subject to land use regulations through the Zoning By-law. Transfers of density or development rights will be undertaken to achieve the following policy objectives:

i. Retention of heritage buildings and groups of heritage buildings/heritage streetscapes;
ii. Provision of at grade open space conforming to Sections 2.4.4 and 2.4.7.2.2 of this Plan;
iii. Retention of existing open space areas adjacent to private development.

k) Environmental Protection Act requirements may apply to sites formerly occupied by industrial, commercial and institutional uses.

l) Within the downtown are a number of sites that were formerly occupied by industrial, commercial and institutional uses. In order for redevelopment of these sites to proceed, it must be demonstrated that there are no soil contamination issues or other environmental issues that would preclude redevelopment. In this regard the applicant may be required to submit information to demonstrate that soil conditions are acceptable.

m) The following policies shall apply for industrial and manufacturing land uses in the Downtown Secondary Planning Area:

i. New industrial and manufacturing facilities, which are developed as stand alone single use entities, shall not be permitted; however, live/work arrangements that involve manufacturing and/or processing shall be permitted, provided they are compatible with neighbouring areas, in terms of noise, vibration, air quality, and other environmental factors.

ii. Existing industrial and manufacturing facilities shall only be permitted to expand on the existing property, provided the following objectives are achieved:
   - The design objectives of this plan are achieved;
   - The expansion does not compromise the City's ability to implement the long-term land use strategy of this plan;
   - There shall be no adverse impacts from the expansion on existing or planned residential or mixed uses;
   - The proposal shall address the remediation of environmental issues including noise; vibration; indoor and outdoor air quality; odour; dust; fumes and refuse; and soil and groundwater contamination.

n) The following policies apply to uses that do not comply with this plan:
   i. The existing use is recognized as non-complying;
   ii. Expansion shall only be permitted when it can be demonstrated that the existing use is operated in a manner that does not create dust, noise, odour, vibration, fumes, soil and groundwater contamination, and/or noxious spillover effects on existing uses and planned uses;
   iii. The expansion shall comply with design objectives of this plan, in accordance with the policies in Sections 2.4.4 and 2.4.7, are achieved;
   iv. There shall be no adverse impacts from the expansion on existing or planned residential or mixed uses;
   v. The proposal shall address the remediation of environmental issues including noise; vibration; indoor and outdoor air quality; odour; dust; fumes and refuse; and soil and groundwater contamination.
   vi. Upon the ceasing of operation of the non-complying use, or abandonment of the use, development and/or redevelopment of the property shall comply with this plan.

o) The City will ensure development and redevelopment in neighbourhoods and lands surrounding this Secondary Planning area reflect the scale of development identified in this plan.

p) Signage shall be used for way-finding and identifying buildings and public places in downtown. The City will undertake a pedestrian oriented signage study to establish comprehensive sign policies for the Downtown. New signage geared to fast-moving vehicular traffic such as billboards or permanent portable signs shall not be permitted.

q) New building construction shall include sustainable building design and construction practices to address energy efficiency, water conservation, waste reduction, and air quality technology.

r) Temporary use by-laws in the Downtown Planning Area shall comply with this Secondary Plan.

2.4.3.3.2 Transportation Policies

a) Changes to the transportation systems within the Downtown Secondary Planning Area,

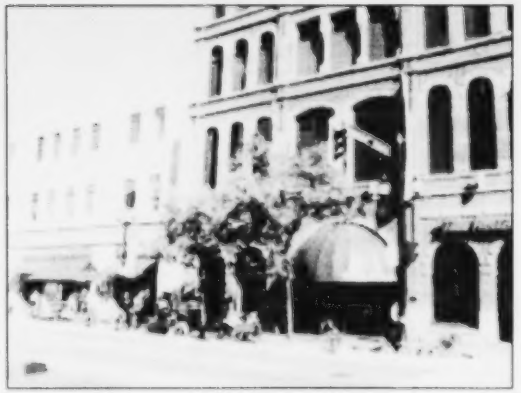
Furniture

including timing of implementation, will conform to the Downtown Transportation Master Plan.

b) Redevelopment in the Downtown will be undertaken in conjunction with the implementation of an approved parking strategy providing for the consolidation of parking opportunities in strategic locations. The parking strategy is contained within the Downtown Transportation Master Plan.

c) New development and redevelopment will be at a scale and density that supports public transit in the Downtown. It is a priority of this plan to provide public transit in the planning area and pedestrian access to public transit through:
- Providing transit routes into and within Downtown Hamilton;
- Ensuring transit accessiblity is incorporated into street redesign;
- Providing direct access between buildings and the public streets to transit stops;
- Providing pedestrian scaled distances to transit stops within the Downtown.

d) Redevelopment in the downtown will be undertaken in conjunction with the implementation of an approved transit terminal site that promotes the efficiency and effectiveness of the public transit system and the adoption of a roadway operations plan that includes appropriate transit priority measures at strategic locations so that public transit can successfully complement and support the various initiatives contained within this Plan.



Park Place

2.4.3.3.3 Administration of this Plan

a) The background or explanatory notes contained in the side margins of this Plan do not constitute a part of the Secondary Plan.

b) All studies required by the policies in this plan must be submitted prior to any application under the Ontario Planning Act being deemed a complete application.

c) Major public initiatives undertaken in the Downtown will be subject to Municipal Class Environmental Assessment processes where applicable.

d) The 1997 Downtown Community Improvement Plan (CIP) will continue to be in effect for the Downtown Secondary Planning Area. Amendments to the CIP and implementation programs or projects undertaken through the CIP will conform to objectives and policies of this Plan.

e) All permits and approvals issued by the City of Hamilton within the Downtown Secondary Planning Area will conform to this Secondary Plan.

f) The objectives and criteria for all municipal grant and loan programs established under the Downtown Community Improvement Plan will conform to this Secondary Plan.

g) All municipal capital works programs undertaken within the Downtown shall conform to this Secondary Plan.

h) The Property Standards By-law will be employed where appropriate to achieve the policy objectives of this Plan.

i) The policies applicable to the proposed Development Permit Area form part of this Secondary Plan and are in effect as of the date of adoption.

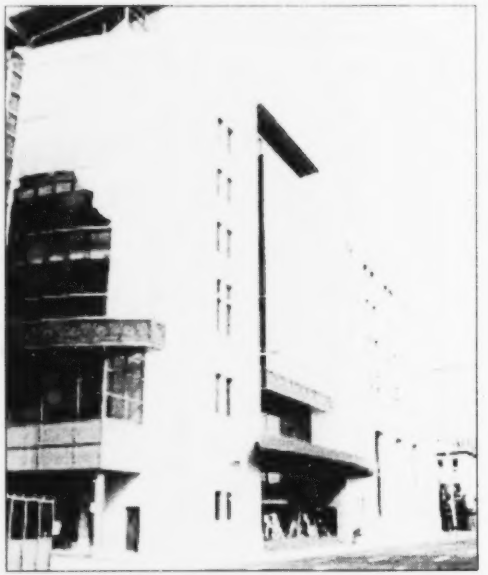
2.4.4 RESPECTING DESIGN AND HERITAGE

Every project or development in the Downtown must be viewed in relationship to all the buildings, streets and public spaces around it. The appearance of the Downtown is as important to its future vitality as the activities and services that go on inside the buildings. This focus on the physical form and inter-relationships of all matters of design of the Downtown is the practise of urban design.

Good urban design means that the architecture and landscape features in an area reflect the unique features of the community. Local history, climate, environmental features and architectural tradition influence urban design. This Secondary Plan will support a high standard of urban design through an enhanced emphasis on heritage buildings and streetscapes and the adoption of defined standards for the design of new buildings and structures.

Heritage buildings and streetscapes define Downtown Hamilton as a unique place. The concentration of heritage features in the Downtown is unrivalled anywhere else in the City and is one of its key assets. Conservation and adaptive re-use of heritage buildings is challenging but has many benefits for the entire community. The existing built form is one of the key strengths and opportunities in downtown Hamilton. In recent years, there has been a trend to removing heritage buildings for use as surface parking lots. This Plan seeks to provide new importance and opportunities for the heritage elements of downtown. Equally as important, this Plan recognizes the value of heritage buildings, streetscapes, and the cultural landscape and places a priority on their retention and enhancement.

This Secondary Plan outlines design requirements for commercial and residential areas as well as streets and public places. In order to implement these policies the City will place more emphasis on design matters in the devel-



John Sopinka Courthouse

2.4.4.1 Secondary Plan Objectives

- ✓ Retain and enhance the historic fabric of Downtown Hamilton.
- ✓ Ensure that new development respects and reflects the design of surrounding heritage buildings.
- ✓ Conserve and enhance the Gore as the primary landscaped open space and concentration of heritage buildings in Downtown Hamilton.
- ✓ Create new programs and planning mechanisms for ensuring a higher standard of urban design in Downtown Hamilton.
- ✓ Ensure that public improvement projects are undertaken within an overall design and implementation program that respects these objectives.

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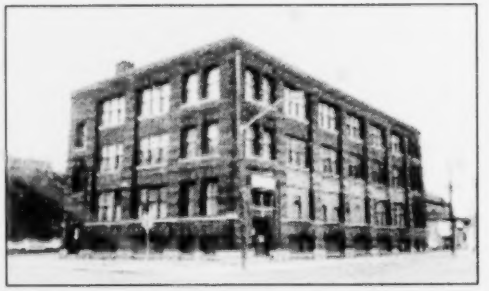

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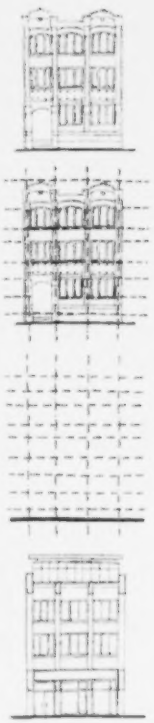
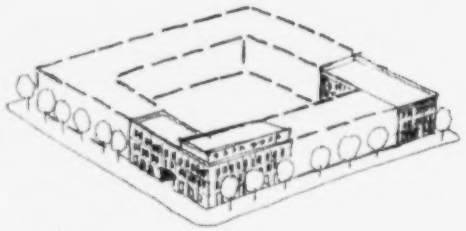


Heritage restoration



Integration of a new building

opment approval process and will establish a new planning mechanism for a portion of the Downtown (The Development Permit System).

2.4.4.2 Heritage

In accordance with the Ontario Planning Act this Secondary Plan will promote the conservation of significant built heritage resources and cultural heritage landscapes.

a) Land use regulations and municipal incentive programs will be used in the retention, conservation, rehabilitation, restoration or adaptive reuse of properties that have been:
   - designated under the Ontario Heritage Act; and/or;
   - listed in the Municipal Inventory of Buildings of Architectural and/or Historical Interest.

b) A long-term management strategy will be developed for all designated or listed heritage resources in the Downtown. The strategy will identify appropriate mechanisms for the retention, conservation, rehabilitation, restoration or adaptive reuse. This strategy will not only assist in the review of development or redevelopment proposals that impact on heritage resources but will also include priorities for public investment in special heritage conservation programs. The strategy will also identify candidate areas for designation as heritage districts.

c) Development in appropriate locations that incorporates buildings or groups of buildings with historic character or architectural value, and proposals that utilize buildings or lands that are underutilized or vacant is a priority in the downtown. Programs such as permit fee rebates, transfer of development rights, and density increases shall be considered in light of the proposal's contribution to maintaining and enhancing the historic character, the architectural value, and the historic elements of the building or buildings.

d) A Heritage Impact Assessment, in accordance with the Official Plan for the City of Hamilton, will be required for any development or redevelopment in the Downtown, both private or public initiatives, that proposes to erect, demolish or alter buildings or structures on or adjacent to properties that meet the following criteria:
   i) Properties designated under the Ontario Heritage Act;
   ii) Buildings or structures listed on the City's Inventory of Buildings of Architectural and/or Historical Interest;
   iii) Sites featuring open spaces, vistas or cultural heritage landscapes listed on the City's Cultural Landscape Resources Inventory.
   iv) Properties within or adjacent to a Heritage Conservation District.

e) The Heritage Impact Assessment will be processed with development approvals or building permit applications when submitted to the City. The Heritage Impact Assessment will be required as part of a complete application to the City. The Local Architectural Conservation Advisory Committee (LACAC) will review the Heritage Impact Assessment and decisions will be made only when the heritage review is completed.

f) The City/Council may require that as part of the development or redevelopment of land in

the downtown that heritage properties are retained on-site and incorporated, used or adaptively re-used as appropriate to the proposed development and land use. Retention of a heritage feature on lands subject to development may be a requirement as a condition of development approval. Specifically, heritage easements under subsection 37(1) of the Ontario Heritage Act may be required and negotiated, as well as development agreements, respecting the care and conservation of the affected heritage property.

g) New development or redevelopment in areas including heritage buildings and/or adjacent to a group of heritage buildings will:
   - Reflect the setbacks, heights and cornice lines of adjacent buildings;
   - Support the creation of a continuous street wall through built form;
   - Maintain a consistent street orientation and building line of the building(s);
   - Reflect the character, massing and materials of surrounding buildings.

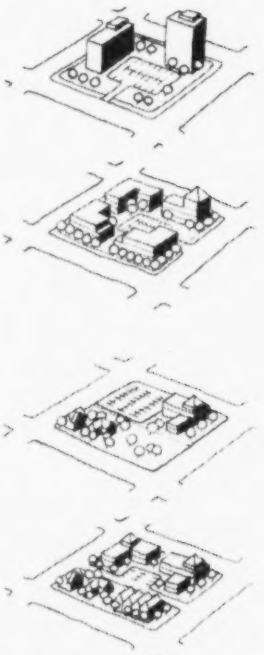
h) The City will demonstrate leadership by pursuing opportunities to conserve municipally owned heritage resources in the Downtown.

i) Where alterations are proposed to heritage buildings, the following principles will be followed:
   - Maintain the basic relations of the horizontal divisions of the building;
   - Maintain original façade components and materials wherever possible;
   - Replicate the original parts and materials where possible or substitute with similar materials and colours;
   - Remove elements that are not part of the original design and/or hide the original design, for example signage, siding or roof treatments.

2.4.4.3 General Urban Design Policies

a) New development in the Downtown, and redevelopment, will address the urban design principles in this plan, and particularly, the following:
   - Achieving a comfortable and intimate pedestrian environment;
   - Ensuring that new development is compatible with existing adjacent structures and streetscapes in terms of design, scale, massing, setbacks, height, integration with the built form, and use;
   - Eliminating street level parking lots and vacant properties along major streets;
   - Creating a sense of place through the incorporation of public art and interpretive media;
   - Providing "eyes on the street" and an interesting pedestrian experience by ensuring that the ground floors of all buildings have windows and doors opening onto the street or public laneways where appropriate. Entrances are to be provided at grade;
   - Ensuring barrier-free access from grade level;
   - Eliminating expanses of blank walls along street frontages;
   - Preparation of streetscaping plans for streets identified in Tables 1 and 2.

b) The City will develop a resource text illustrating the urban design principles with supporting text and illustrations for use by the public and private sector design for initiatives in the Downtown.



Development Scale and Integration

c) New development, redevelopment, or alterations to existing buildings must conform to the policies of this plan and the urban design objectives.

d) The City will establish a design committee to provide a peer review of all public and private projects in the Downtown in order to ensure that projects reflect appropriate architectural design at a high quality. The design committee shall advise staff on the architectural and design issues related to land use changes and development.

e) The City will demonstrate community leadership by designing high quality public buildings and spaces in Downtown Hamilton. This will be achieved by:
- Ensuring that all City projects are developed to a high standard of design and in accordance with the polices of this Plan;
- Maintaining and upgrading Civic structures and properties to the standards described in this Plan through an ongoing program of new investment;
- Upgrading public streets and public spaces to promote a high quality of design, public safety and ease of access.

f) Significant views and vistas in the downtown will be protected as development occurs. Protection of views and vistas will be achieved through:
- The size and placement of new buildings to protect the views identified in this plan;
- Development of building facades that create visual connections to the streets and public spaces;
- Orientation of windows, entrances, balconies and other building elements to surrounding points of interest and activity;

for the following:
- Views of Gore Park from King Street, James Street, Hughson Street, and Catharine Street;
- Views of Hamilton Harbour and the Niagara Escarpment from James Street;
- Views of the Niagara Escarpment from Bay Street, Catharine Street, and Wellington Street;
- The continuous linear path of Ferguson Avenue;
- Views on Hughson Street, from Gore Park, terminating at the TH&B Station;
- The Main Street Corridor between Bay Street and MacNab Street.

g) New development and redevelopment shall integrate roof design and function with the surrounding buildings and public spaces. This will be achieved through:
i. Integrating the roof function, shape, surface materials, and colours with the building's overall design concept;
ii. Encouraging the size and placement of rooftop mechanical equipment in discrete and unobtrusive locations to protect or enhance views of the downtown from other buildings and the public street;
iii. Developing rooftop terraces, gardens, and associated landscape areas for climate enhancement and for stormwater management;
iv. Incorporating best practices and appropriate technology to reduce energy consumption and improve air quality.

2.4.4.3.1 Urban Design in Public Spaces

a) An overall program of public improvements will be developed for the public spaces in the Downtown that are listed in policy 2.4.4.3.1c).

Public improvement projects undertaken prior to the completion of the urban design principles document will be assessed against the goals and policies of this Secondary Plan and any pre-existing design study.

b) All designs for public improvements will be subject to community consultation processes and shall be subject to review by the design committee specified in policy 2.4.4.3d).

c) Within the overall framework described in a), the following specific areas will be given particular attention:

i. A design plan and program of public improvements for the streets surrounding the Jackson Square Complex (Bay, York, James, King). Portions of this project will be undertaken in conjunction with the proposed redevelopment of the Hamilton City Centre (former Eatons Centre). The following elements will be addressed in the design plan:
   - Where feasible, widened sidewalks to a width of four metres;
   - Creation of a continuous canopy over the sidewalks through street tree plantings or the use of lighting, banners and awnings;
   - Installation of sheltered public seating areas;
   - Landscaping improvements;
   - Installation of works of public art;
   - Provision of additional on-street parking;
   - Improved pedestrian areas along the streets;
   - Increased pedestrian access from the street to buildings and stores in the Jackson Square Complex;
   - Opportunities for complementary enhancements of adjacent private structures or lands;
   - Opportunities for improved design to the open space and plaza area, including:
     - introducing pedestrian paths/sidewalks that replicate the historic grid street pattern through the Jackson Square Complex;
     - street level access with defined entry to the open space and plaza area;
     - improving connections between the street level areas and the open space and plaza area;
     - examining the feasibility of reintroducing streets in accordance with the historic grid street pattern and orienting new buildings to these streets.

ii. A design plan and program of private and public improvements will be developed for the civic space formed by Commonwealth Square at the Art Gallery of Hamilton and the City Hall Forecourt. The design study will address the following:
   - Clear identification of the area as the prime civic gathering space for citizens of the City of Hamilton;
   - An integrated design for the area extending from the rear of the Art Gallery to the front of Hamilton City Hall;
   - East-west landscape and pedestrian linkages to the Board of Education Building and the Convention Centre/ Hamilton Place;
   - Recognition of landmark buildings in the vicinity including Hamilton City Hall and Whitehern Historic House and Garden;
   - Provision of commercial opportunities accessory to the Art Gallery and the

Hamilton City Centre from James Street

Civic Cultural Area

Gore Park

Convention Centre fronting on Summer's Lane and King Street East;
- An improved pedestrian environment and pedestrian access for Summer's Lane;
- Integration with the redevelopment of Art Gallery of Hamilton;
- Street level pedestrian linkages to the adjoining residential neighbourhoods, Jackson Square and the Main Street Corridor;
- Visual linkages through streetscape elements, paving patterns, lighting, banners are to be provided to encourage pedestrian traffic in the Civic and Cultural Area and to portray a vibrant downtown.

iii. A long-term design/management plan will be developed for the public spaces within and adjacent to Gore Park. This plan will support a long-term program of improvements and initiatives for the Gore and will respect the guidelines contained in the 1996 Gore Heritage Design Study.

iv. A design plan and program of public improvements will be developed for Downtown streets prior to the initiation of multi-phase street capital improvement plans. Please refer to Section 2.4.7, Enhancing Streets and Public Spaces for details.

v. Design plans and public improvement programs will be developed in partnership with adjacent landowners for a series of smaller feature areas in the Downtown including, but not limited to:
- The Open Space Area adjacent to Main Street at the former County Courthouse;
- The Tivoli Theatre precinct including the Theatre, and adjacent properties;
- Small open spaces on the north side of Hunter across from the GO Station;
- Major entrance points to the Downtown at James/Hunter, Bay/Hunter, Queen/Hunter, King/Hess, Queen/York/Cannon, Bay/Mulberry, Ferguson/Wilson;
- The streetscaping of any local street downtown converted from one-way to two-way operation.

2.4.5 CARVING OUT A DISTINCT ECONOMIC ROLE

The Secondary Plan recognizes that the traditional economic role of Downtown Hamilton has changed. It is no longer the major shopping destination for the wider community and will not experience significant high-rise office tower development in the future. The commercial policies of this Plan are intended to move the Downtown toward a new role, including small offices; live/work arrangements; warehouse conversion; and new technology enterprises such as call centers and e-commerce.

In the coming years the Downtown will maintain its key role as the centre of all levels of government for the entire municipality, as well as other institutions. The City's major cultural facilities are also found in Downtown Hamilton.

The Commercial policies of this Secondary Plan are intended to support intensive, urban-scale commercial development. Over time, ground level commercial facades will be re-oriented toward the pedestrian by ensuring that doors and windows open onto the streets.

2.4.5.1 Secondary Plan Objectives

- ✓ Confirm Downtown Hamilton's role as the government, institutional and cultural centre of the City.
- ✓ Establish a defined and more compact Central Business District within the Downtown.
- ✓ Establish defined commercial office and retail areas within the Downtown.
- ✓ Promote retail areas geared to the needs of residents in the Downtown and adjacent neighbourhoods

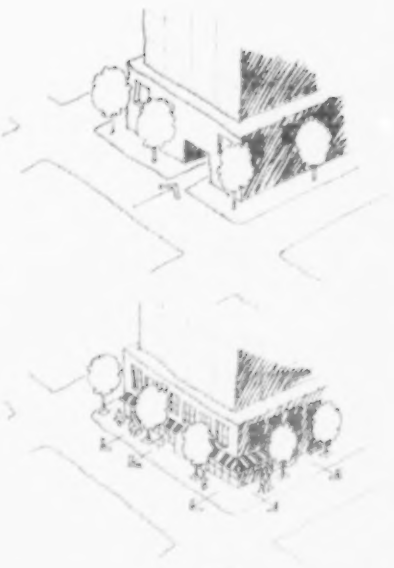
2.4.5.2 General Commercial Policies

a) The policies in this Section apply to the lands designated for commercial uses as depicted on Schedule "L-1". Please refer to Section 2.4.8 for policies applying to lands within the Downtown Development Permit Area.

b) Except where noted in specific policies, all new development will be oriented toward the surrounding streets with at grade pedestrian entrances onto the sidewalks.

c) Vehicle-oriented land uses such as gas stations and other drive-through services or other uses normally classified as highway commercial will not be accommodated.

d) Development in the Central Business District shall be built at an urban form of development and shall include:



Building orientation and pedestrian entrances

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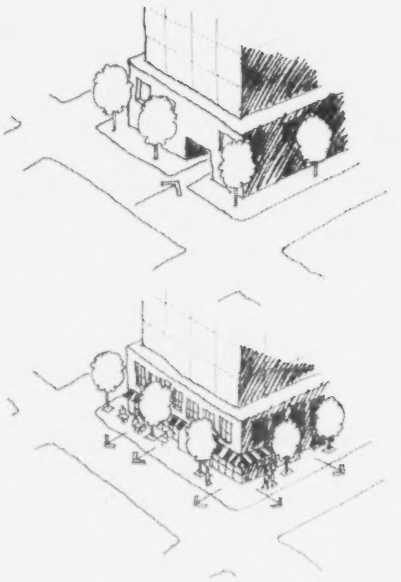


Building orientation and pedestrian entrances.

Library and Market

- A relationship between the building and the street so that the development contributes to the overall built form in the downtown;
- Creation of positive public space between the building and the street(s) on which the building is located;
- Where retail uses are proposed, direct connection to the street from the retail use in the building;
- A clearly defined entrance to the building from the street.

e) Buildings will endeavour to provide pedestrian access on the ground floor at the street level and will locate loading and service entrances at the rear.

2.4.5.3 Specific Policies

The Secondary Plan designates four categories of commercial land. They are:

- The Central Business District;
- Prime Retail Streets;
- Specialty Commercial Areas;
- Local Commercial Areas.

The following specific policies apply to lands within the four categories listed above as depicted on Schedule "L-1".

2.4.5.3.1 The Central Business District

The Central Business District will accommodate the highest densities of commercial development within the Downtown. It is the office, cultural and government centre for the entire City and an important retail area for the Downtown and adjacent residential areas. The Central Business District incorporates three distinct commercial areas shown on Schedule "L-5".

- The Jackson Square Complex
- The Civic Cultural Area
- The Main Street Corridor

a) The Central Business District will be the primary location for new office development in Downtown Hamilton. The construction of buildings whose primary use is commercial offices will be discouraged elsewhere in the Downtown. Alternatively, mixed use buildings comprising residential and offices and commercial uses will be encouraged and promoted.

b) The Hamilton Farmer's Market is a key civic and economic priority in downtown Hamilton. The current location and operations of the Hamilton Farmer's Market will be reviewed, with the market operators and stallholders, to ensure that the needs of the entire Downtown community are being properly addressed and to ensure the long-term viability of the Farmer's Market.

2.4.5.3.1.1 Jackson Square Complex

The Jackson Square Complex is the grouping of enclosed retail malls, Copps Coliseum and office structures within the area bounded by York Boulevard, Bay, James and King Streets. This complex also houses key public facilities. A mix of office, retail and entertainment uses will be accommodated in this area. Over time development and redevelopment proposals within the Complex will be required to redesign the blank building facades and reorient the complex toward the surrounding streets.

a) New development or redevelopment in this area will ensure that the frontage along York Boulevard and Bay, James and King Streets will be dominated by street-related retail and entertainment use.

b) High rise development will be accommodated in the Jackson Square Complex subject to the height limitations contained on Schedule "L-3".

2.4.5.3.1.2 Civic Cultural Area

The Civic Cultural Area shown on Schedule "L-5" will continue to be the prime government, institutional and cultural centre of the entire City. Key buildings and institutions such as Hamilton City Hall, the Art Gallery of Hamilton, Hamilton Place, the Hamilton Convention Centre and the Board of Education Building, are the primary uses and buildings in this area.

a) All development in the Civic Cultural Area will focus on the street and establish a direct relationship with either King or Main Streets. Buildings fronting onto King or Bay Streets may have additional setback to accommodate public open spaces, cafes and other amenities.

b) Development in the Civic Cultural area will be subject to height limitations as shown on Schedule "L-3".
   - A design plan and program of private and public improvements will be developed for the civic space formed by Commonwealth Square at the Art Gallery of Hamilton and the City Hall Forecourt Area. Please refer to Policy 2.4.4.3.1.

2.4.5.3.1.3 Main Street Corridor

The Main Street Corridor describes the north and south sides of Main Street, east of Catharine Street and the area west of Bay Street, as shown on Schedule "L-5". It will continue to be a mixed-use area containing office, institutional, residential and retail uses.

a) New development shall contribute to the creation of public open space along the Main Street through appropriately located amenity areas that contribute to the pedestrian environment on Main Street.

b) Vacant parcels in this area should be developed as mixed use, mid-rise buildings to strengthen Main Street's image as a primary residential and commercial avenue within the Downtown. Office, institutional, residential and retail uses will be accommodated in this area.

c) The height of new buildings and additions should be mid-rise in height in order to maintain a pedestrian scale along Main Street. Please refer to Schedule "L-3".

d) The permitted building height may be increased above the normally permitted height, provided the building is massed so as to achieve the following:
   - The additional height above the normally permitted height will not result in any adverse shadow or wind impacts on the Main Street public sidewalks.
   - In addition to the foregoing, the City may permit an increase in height above the normally permitted height for decorative building elements such as towers or cupolas, provided that there are no adverse shadow or wind impacts on the Main Street public sidewalks.

e) Signage will be designed and located to respect the architectural integrity of the host building.

2.4.5.3.2 Prime Retail Streets

James Street and King Street east of Catharine Street, and west of Bay Street, has been designated a Prime Retail Streets as shown on

Civic Cultural Area

Main Street (Existing)

King Street East

King William Street

Schedule "L-1". Gore Park, the most significant public open space in Downtown Hamilton is located between these areas.

King Street and James Street, North and South are the historical core of the Downtown shopping district and future retail development will be encouraged to locate along these streets. The only exceptions will be retail development situated in the Jackson Square Complex and local commercial uses in appropriately designated areas serving the needs of residents in the vicinity.

a) Ground floors will predominantly be occupied by street oriented commercial uses. Upper floors of buildings along King and James are designated for mixed uses such as office commercial, residential and live/work arrangements.

b) Buildings will maintain the traditional building line and height at the street to provide an uninterrupted building line at the street level.

c) A design plan and program of public improvements will be developed for the Prime Retail Streets area. See Section 2.4.7.

d) The following are to be provided for development proposals within the Prime Retail Streets area:
   - Access to buildings will be at the street level. Ground floor facades will have doors and windows open to the street.
   - Buildings will be built at the streetline with no setback from the property line.
   - Accessory surface parking will not be accommodated along the street frontage.
   - New driveway access shall be at the rear of the property, and not on the public street. Alleyway access at the rear shall be utilized.

2.4.5.3.3 Specialty Commercial

Downtown's Specialty Commercial Areas, Hess Village and King William Street are shown on Schedule "L-5". They are the key dining and entertainment areas in the Downtown.

Hess Village will continue to be primarily a dining and entertainment area with active public spaces and a pedestrian scale. Other uses such as office, limited retail and residential will be accommodated provided the primary role of the area is maintained.

With theatres and restaurants in close proximity to King William Street has the potential to be a major destination area in the Downtown. Mixed use and residential development is also encouraged, particularly loft conversions. The Lister Block, one of the Downtown's Landmark Buildings is located nearby.

2.4.5.3.3.1 Specific Policies for Hess Village

a) Hess Village will continue to accommodate a mix of at grade dining and entertainment establishments combined with residential and other commercial uses.

b) The existing heritage character of Hess Village, as evidenced by the buildings around the intersection of Hess and George Streets, is to be enhanced and maintained. Conservation of the existing heritage character is a priority in all development. New development must be consistent with the existing built form in Hess Village. Adaptive re-use is to be the primary redevelopment initiative for existing buildings.

c) At present Hess Village incorporates a variety of building types. Consequently a range of height limitations is proposed to ensure that new development respects the character of

the area. These height limitations are shown on Schedule "L-3".

d) George Street, Hess and Bay Streets will be redeveloped as landscaped streets supporting a mix of grade oriented restaurant and commercial uses. George Street will provide a pedestrian route to the Central Business District.

e) New developments along King Street and at the King/Bay intersection will accommodate street oriented retail and entertainment uses. Building frontages will be dominated by these uses.

f) Public open spaces will define the entrances to Hess Village, as shown on Schedule "L-1".

2.4.5.3.3.2 Specific Policies for King William Street

a) Streetscape improvements will be undertaken along King William Street as outlined in Section 2.4.7. The street design will incorporate generous sidewalks, special paving and extensive planting.

b) New mixed-use development will be achieved through the redevelopment of parking lots and the conversion of industrial and warehouse buildings for residential and commercial use. Conservation of the existing heritage character is a priority in all development. Adaptive re-use is to be the primary redevelopment initiative for existing buildings.

c) New buildings shall be located along the street line. The height of new buildings and additions shall be consistent with the traditional street wall established by existing buildings and, therefore, shall maintain a height of 3-4 storeys at the street line, with the potential for decorative building elements stepped back from the street line when higher than 4 storeys. Increases above this height shall conform to Policy 2.4.3.3.1h) of this Plan.

d) Buildings will incorporate ground level pedestrian access to include the following: uses open to the public/accessibility from ground level including doorways and windows; and, where possible, servicing from the rear of the property.

e) Residential uses may be permitted on the ground floor of a building where required to accommodate residential lobbies and service areas. Where possible, residential service areas should be oriented away from the front building façade.

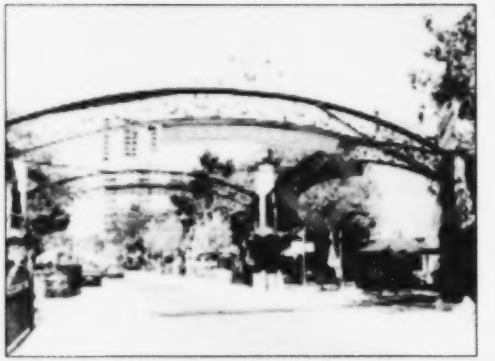
f) Signage will be designed and located to respect the architectural integrity of the host building. Awning signs will be encouraged.

2.4.5.3.4 Local Commercial Areas

Local Commercial Areas are depicted on Schedule "L-5". This designation will accommodate sidewalk oriented service and retail activities geared to the daily needs of area residents. The impacts of commercial activities will not detract from the residential character of these areas.

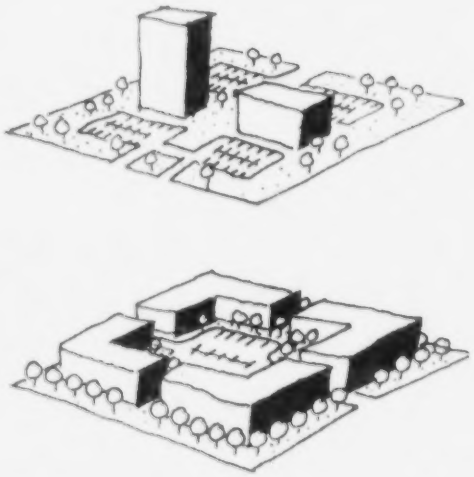
Specific Policies for Local Commercial Areas

a) Retail uses will occupy ground floor spaces in the Local Commercial Areas. Other service commercial uses may also be situated at ground level providing that retail activities dominate. Office commercial and residential uses shall be permitted on the upper floors.



Hess Village

King William looking east



Parking Principles

b) The following design elements are applicable in Local Commercial Areas:
   - Accessory surface parking will not be accommodated along the street frontage.
   - Street redesign in Local Commercial Areas will maximize on-street parking.
   - Buildings must be a minimum of two storeys in height.

2.4.6 CREATING QUALITY RESIDENTIAL NEIGHBOURHOODS

Downtown Hamilton is surrounded by four residential neighbourhoods – Durand, Central, Beasley and Corktown. All have active residents associations, schools and parks, a mix of historic and new housing and key streets linking to the Downtown.

Within the Downtown Secondary Plan Area there are tracts of vacant land in the commercial core and the adjacent neighbourhoods. Many of these properties are parking lots. The policies of this Secondary Plan seek to encourage the redevelopment of these sites through appropriate residential infill projects and limited commercial development geared to the needs of residents.

This Secondary Plan supports the improved connection of neighbourhoods to the downtown core, the development of vacant land for higher and better use at an appropriate scale, and the overall balancing of commercial and residential development for a vibrant healthy core. New housing adjacent to the business core is an important theme of this Plan.

MacNab Street

2.4.6.1 Secondary Plan Objectives

- ✓ Improve the linkages between the Downtown and surrounding residential areas through the development of vacant properties. Residential and mixed-use development on these sites will create a transitional area on the edges of the Downtown.
- ✓ Create a diversified housing supply in the Downtown geared to the needs of various age groups with increased opportunities for home ownership.
- ✓ Preserve and enhance the existing residential communities within the Secondary Plan Area.
- ✓ Provide and maintain neighbourhood services such as local shopping area, community centres, parks and open spaces and educational facilities in and adjacent to Downtown residential areas.
- ✓ Establish new residential areas that reflect urban design features consistent with a Downtown location and the heritage character of the area.
- ✓ Over the long term, seek to repair and complete the open grid of streets and blocks in the neighbourhood.
- ✓ Over the long term, return the residential street system to a residential scale with opportunities for two-way traffic.

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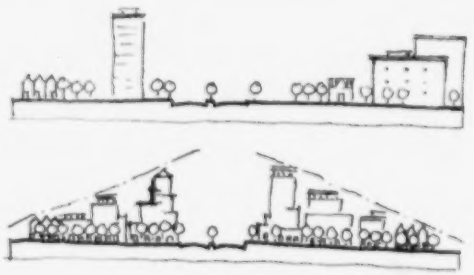


Integration of a new building

Elgin Street Townhouses

2.4.6.2 General Residential Policies

a) The policies in this Section apply to the lands designated for residential uses as depicted on Schedule "L-1". Please refer to Section 2.4.8 for policies applying to lands within the Downtown Development Permit Area shown on Schedule "L-1".

b) It is intended that the highest residential densities in the City will be in Downtown Hamilton. The following gross density guidelines will be accommodated within Downtown residential areas:

Low Density	
Single detached	25 units/hectare
Semi-detached	38 units/hectare
Row Houses	60 units/hectare
Medium Density	
Stacked Townhouses	125 units/hectare
Low Rise Apartments	150 units/hectare
Mid Rise Apartments	300 units/hectare

c) The existing residential areas within and adjacent to the Downtown will be maintained by ensuring:
- Community services, facilities and parks will be provided;
- Retention of existing residential structures will be supported unless a redevelopment application has been approved for the site.

d) Retention and adaptive reuse of existing heritage and industrial buildings for residential use is a priority within the Downtown. Land use regulations and special programs will support conversion of existing structures subject to the following:
- Significant structures or structural elements will be maintained;
- Additions will be compatible with the existing structure in terms of relationship to the street, front setbacks, architectural form and massing;
- Parking standards will be reviewed to ensure that reuse of existing structures is not compromised.

e) Intensification and infill projects will be consistent in design with the grid street pattern and architectural character of existing residential areas in the Downtown and adjacent neighbourhoods.

f) In order to encourage consistency of neighbourhood character and design, specific policies have been developed for residential precincts adjacent to the Beasley (Area A), Central (Area B) and Corktown (Area C) neighbourhoods as shown on Schedule L-6.

2.4.6.3 Specific Residential Policies

The Secondary Plan designates three categories of residential development:

- Low Density
- Medium Density
- Mixed Use Development

Lands designated for these residential uses are shown on Schedule "L-1" for the areas identified on Schedule "L-6".

2.4.6.3.1 Policies for Low Density Areas

a) The Low Density designation includes single detached, semi-detached and row houses.

b) Low density residential development will achieve a traditional downtown urban residential neighbourhood character by:
- Front yard setbacks consistent with the building line of other adjacent properties on both sides of the street;

- Lot width, depth and area generally consistent with adjacent properties in existing neighbourhoods in and near the Downtown;
- Building lines for redevelopment of large properties that are consistent with the design standard in adjacent neighbourhoods;
- Individual garages or parking areas at the rear of the building accessed by alleys or side drives where available;
- Street, lane and lot patterns based on the traditional grid pattern found in the Downtown and adjacent neighbourhoods.

2.4.6.3.2 Policies for Medium Density Areas

a) The Medium Density Designation accommodates stacked townhouses, low rise apartments and mid rise apartments.

b) Medium Density development will achieve an urban character by:
   - Street oriented buildings restoring traditional downtown character.
   - An absence of direct driveway accesses to individual units.
   - Open space in new development provided in the form of parkettes and internalized semi-private open spaces within courtyards formed by buildings.

c) Surface parking areas in the Medium Density areas will be located at the rear of the property or in an underground structure. There will be no surface parking in the front yard adjacent to the street.

d) The relationship between buildings and the street will be reinforced by:
   - Minimizing the shadowing of adjacent sidewalks and generation of wind impacts;
   - Ensuring that the ground levels of buildings have windows and doors that face the street.

e) The design of new developments will have consideration for light, view and privacy of adjacent buildings and areas. Existing patterns of streets, lanes, blocks and private or public open space will be respected.

2.4.6.3.3 Policies for Mixed Use Areas

a) Mixed-Use Areas are intended to serve as a buffer between intensive commercial activities and the residential areas within and around the Downtown.

b) Mixed-Use Areas will accommodate commercial uses that are compatible with and will not detract from residential development.

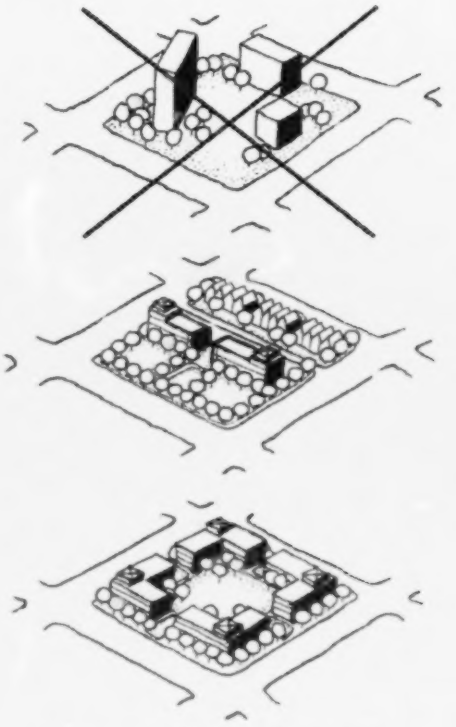
c) Residential development in Mixed-Use Areas will conform to the Medium Density policies of this Plan.

d) Commercial development in Mixed-Use Areas will conform to the Prime Retail Streets policies of this Plan.

e) Signage will be designed and located in a manner that respects the architectural integrity of the host building and is compatible with the residential environment. Signage in these areas shall be non-flashing, shall be restricted to the building face, and shall exclude stand-alone structures for signs.

2.4.6.3.4 Policies for Specific Residential Precincts

The following policies apply to three residential precincts within the Downtown that contain significant tracts of vacant land. The three precincts are depicted on Schedule "L-6" and the policies



Open space within new development

MacNab Street

Durand Neighbourhood

City Places

must be read in conjunction with the other residential policies in this Section.

2.4.6.3.4.1 Area A Northeast Residential Precinct

This Area is adjacent to the Beasley Neighbourhood and is currently dominated by surface parking lots. Over time, these parking lots will be removed and replaced with low-to-mid-rise residential development, with commercial and retail on the ground floor. New development should have an urban form featuring street oriented buildings that restore the traditional character of the Downtown area.

a) Surface parking will be located at the rear of buildings, with access through a common mid-block driveway/alley system. Direct driveway access from the street to individual units will be strongly discouraged.

b) Required open space within new private development may be provided in the form of new parkettes and internalized semi-private open spaces within courtyard areas created by new buildings.

c) In order to create an appropriate living environment, certain higher-intensity commercial and entertainment uses for lands adjacent to the King William Street Specialty Commercial Area may be permitted. These uses will be evaluated to ensure that any negative spillover effects on existing or planned residential uses are eliminated or minimized.

d) The following policies will apply to building alterations or the redevelopment of a site:
   - The height of new buildings and additions shall be low-to-mid rise, in accordance with Schedule "L-3", in order to maintain and enhance pedestrian comfort at street level.
   - Building height may be increased above the normally permitted height, provided the project is massed as to achieve a compatible relationship with adjoining buildings and public spaces.
   - Signage will be designed and located to respect the architectural integrity of the host building and to be compatible with a residential environment.

2.4.6.3.4.2 Area B Northwest Residential Precinct

This Area is adjacent to the Central Neighbourhood.

a) All new housing in the interior of Area B and fronting onto local streets will be limited to Low-Density uses.

b) The following policies will apply to Mixed Use development on the north side of York Boulevard, the west side of Bay Street and the Jackson Square Complex (for any mixed use redevelopment):
   - All new buildings will be built to the street line. Additional setbacks may be permitted to accommodate amenities such as enhanced landscaping, additional open space or provision of outdoor cafes;
   - The street frontage of new or redeveloped buildings will be dominated by street oriented retail, restaurant or entertainment uses;
   - Commercial or residential uses will be permitted in the upper stories.
   - Surface parking lots will not abut the York Boulevard frontage.
   - High-rise buildings will be allowed in accordance with the maximums contained on Schedule "L-3".

c) Mixed Use development along the south side of York Boulevard, west of Bay Street, will be mid-rise in accordance with Schedule "L-3". A mix of commercial and residential uses with at grade retail geared to needs of area residents will be accommodated.

2.4.6.3.4.3 Area C Southeast Residential Precinct

This Area is adjacent to the Corktown Neighbourhood.

a) Mid-rise development will be accommodated in the western portion of this Area in accordance with Schedule "L-3".

b) All new development will be built to the streetline. Additional setbacks will only be permitted to accommodate added street planting, wider sidewalks or other pedestrian amenities.

Corktown Neighbourhood

Ferguson Avenue

Gore Park

2.4.7 ENHANCING STREETS AND PUBLIC SPACES

Streets, parks and plazas provide the structure for urban areas – they are the foundation of the city. Downtown Hamilton retains important public spaces with many opportunities for new amenities. The historic grid street pattern is largely intact and there are significant and important streetscapes like Ferguson Avenue and King Street through the Gore. The creation of better pedestrian spaces in balance with the needs of vehicles is a key element of this Plan. Well designed streetscapes, with buildings that frame the street environment, contribute to an overall improved sense of place in downtown.

Great cities provide gathering points for their residents. These are places that help define the community and provide stimulating and unique experiences for Downtown residents, workers and visitors. The state of parks, open spaces and plazas sends an important message about community values and pride. Vibrant parks and public spaces enhance the value of properties in their vicinity. Investment in this public realm is a key priority in the Downtown and benefits the many underutilized or undeveloped properties.

Streets are critical public spaces. They also accommodate the transportation system for Downtown Hamilton. This Plan seeks to provide a network of attractive streets that balances the movement and safety of all types of vehicles with the comfort and safety of pedestrians. The street network provides important linkages between the Downtown and adjacent neighbourhood, the Waterfront, the Niagara Escarpment and the other areas of the City.

Private development in the Downtown will be designed to complement the public realm by providing direct connections between private and public spaces and locating buildings and structures so that they frame the boundaries of public areas.

2.4.7.1 Secondary Plan Objectives

- ✓ Establish an overall plan to increase the pedestrian amenity and overall civic image of the streets and open spaces in the Downtown;
- ✓ Identify priority streets for specialized treatment;
- ✓ Establish linkages to the Waterfront, the Escarpment and other parts of the City;
- ✓ Establish new locations and policies for parks and open space in the Downtown;
- ✓ Identify the key civic spaces
- ✓ Establish a high standard of design in public spaces as a model for private sector initiatives.

Ferguson Avenue

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- ✓ Identify the key civic spaces
- ✓ Establish a high standard of design in public spaces as a model for private sector initiatives

2.4.7.2 Policies for Streets and Public Spaces

2.4.7.2.1 Streets

a) The Downtown Transportation Master Plan is the primary policy document for vehicular traffic, (including cars, public transit and cyclists) parking, and pedestrian systems in the Downtown. All plans and improvement programs for Downtown streets including street reconstruction and public improvements must conform to this Secondary Plan and the Downtown Transportation Master Plan.

b) Development and redevelopment of the Downtown will support the use of public transit in accordance with Provincial Policy.

c) The historic grid street pattern in Downtown Hamilton is to be retained or restored through the following measures:
- Re-opening streets, lanes and alleyways that have been closed; where feasible;
- Ensuring that all new development supports or incorporates a grid street pattern;
- Acquiring land for public lane and street purposes through the development and redevelopment of sites in the Downtown.
- Designing new streets with block faces extending from 90 to 120 metres.

d) Walking accounts for more daily trips in Downtown Hamilton than any other mode of transportation. All streets in Downtown Hamilton will provide a safe pedestrian realm through appropriately designed sidewalks, provision of Urban Braille, landscaping, seating areas, transit shelters and other amenities. The extent to which these amenities can be incorporated may vary from street to street.

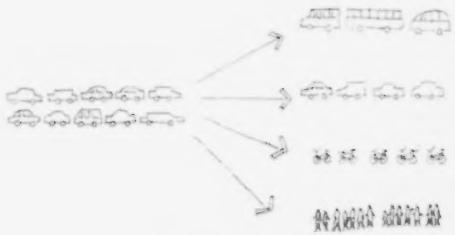
e) Provision of on-street parking will be a priority in the Downtown. Designs for street improvements will maximize opportunities for on-street parking. The requirements for public transit stops and the effect on transit route travel times will be reviewed prior to establishing additional on-street parking.

f) Where residential uses abut a street enhanced landscaped boulevards will be provided where possible.

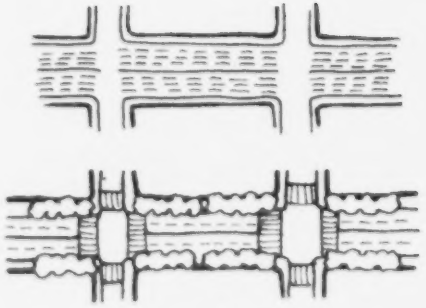
g) Alleys provide important access to many properties in the downtown. Properties with alleyway access may use such access for property access, in lieu of street access. Alleys will be utilized where direct street access would compromise other objectives of this plan. In addition, the following policies shall apply to alleys in the downtown:
   i. Existing public alleys will be maintained as public rights of way;
   ii. The City will not support closure of a public alley unless private development adjacent to the alley can be serviced from the public street without compromising the design objectives of this plan, relative to streets, heritage buildings, and urban design.

h) Streets in Downtown Hamilton have been classified for urban design purposes as a guide to the planning and construction of public improvements to streets and sidewalks. The three classifications are Mobility Streets, Traditional Streets and Local Streets as shown on Schedule "L-7".

i) Approximately half of all motor vehicle trips in the Downtown are through-trips with the origin and destination of the trip outside the



Balance Patterns



Boulevardization

Mobility Street: Mobility Streets provide mobility through traffic, freight and goods. They connect major activity centres within and to points outside of the region, with sufficient connections to neighbourhoods. Cyclists are permitted and are accommodated with wider curb lanes. On-street parking is limited to non-peak hours.

Traditional Street: Traditional streets are locally oriented streets that serve the local land uses. Pedestrians are given priority with the provision of sidewalks on both sides of the street and a street that is designed for easy pedestrian crossing. The primary purpose is to provide for access by residents, shoppers, employees, and serve the balanced travel needs within the neighbourhood. Cyclists are encouraged and do not require special provisions due to low vehicular speeds. On-street parking is encouraged and generally two lanes are provided for travel.

Downtown. The streets that primarily accommodate this type of traffic, in addition to local trips and trips starting or ending in the Downtown, have been identified as **Mobility Streets** in this Plan. The key traffic and transit roles of these streets will be reflected in designs for public improvements. Mobility Streets will accommodate either one-way or two-way traffic movements and will provide safe movement for pedestrians and cyclists. The following are Mobility Streets:

- Bay Street
- James Street
- Main Street
- King Street
- York Boulevard/Wilson Street
- Cannon Street
- Queen Street
- Wellington Street
- Hunter Street

j) A second group of streets, called **Traditional Streets**, provide key linkages to the buildings and activities of the Downtown and connections to the Mobility Streets. Traditional Streets will primarily accommodate traffic destined to, or out of, the Downtown and local trips as well as providing enhanced pedestrian comfort at street level. The following are Traditional Streets:

- Hess Street
- Caroline Street
- Jackson Street
- King William Street
- Hughson Street
- Catharine Street
- Ferguson Avenue
- George Street

k) Remaining Downtown streets not designated as either Mobility Streets or Traditional streets are considered Local Streets. Access to businesses or residences, on-street parking and pedestrian movement take priority over traffic movement on these streets. Traffic calming will be utilized where it will enhance the quality of the residential street.

l) Street master plans shall be completed for the entire length of all Mobility and Traditional Streets within the context of an overall urban design and public realm enhancement perspective for Downtown Streets, as identified in policy 2.4.4.3.1c). Landscaping elements to be addressed include transit shelters, public signage, seating areas, vegetation and lighting. A description of the design function and objectives for Mobility and Traditional Streets is provided in Tables 1 and 2.

m) Reclaiming space for enhanced sidewalk width will be completed as development occurs. The City may, at its discretion, require dedication of private land or an easement on private land, to enhance the public realm, and the sidewalk, on downtown streets. Any land utilized for public realm enhancements will be included in the density calculations for the private development. The landscaping plan for the private development shall include improvements in the boulevard that shall be constructed by the private developer.

n) Implementation of the Ferguson Avenue Master Plan for streets and public spaces will continue along the corridor within the Ferguson Avenue Revitalization Area. Land Use within this Revitalization Area will be as designated in this Secondary Plan.

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n) Implementation of the Ferguson Avenue Master Plan for streets and public spaces will continue along the corridor within the Ferguson Avenue Revitalization Area. Land Use within this Revitalization Area will be as designated in this Secondary Plan.

o) A series of gateway features will be located at key entrance points to the Downtown. Proposed Gateway locations are shown on Schedule "L-7". Gateway features will be incorporated into site plans for new private developments or public improvement projects and will conform to the requirements of site-specific traffic operations and planned changes in the Downtown Transportation Plan. Gateway features established on public land or incorporating public art shall be subject to the Municipal Public Art Policy. Gateway features will include one or more of the following:
   - Landscaped feature;
   - Landmark buildings;
   - Decorative structure(s).

p) Construction of new elevated walkways over public streets to link second storey users will not be permitted in the Downtown.

q) Road widenings should not compromise the streetscape or individual buildings.

r) Any proposal to establish a transit terminal facility or consolidate Downtown transit transfer points will be subjected to a comprehensive impact assessment and design process in accordance with the Downtown Transportation Plan. Downtown stakeholders and residents will be invited to participate in this planning process.

2.4.7.2.2 Public Open Spaces

a) The Public Open Space designation includes parks, other open spaces and civic squares. Existing and proposed public open spaces are identified on Schedule "L-1" These spaces are intended for passive recreational use and special public activities and events. No new development or expansion of existing development into these areas will be permitted.

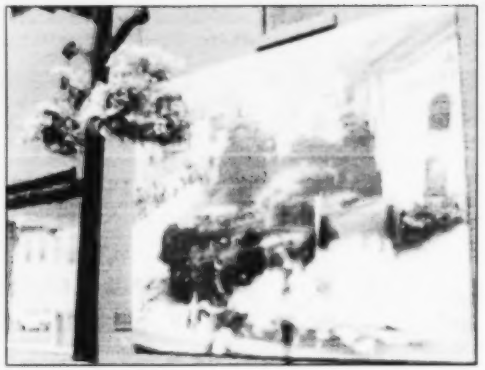
b) A high standard of design of all public open spaces shall be achieved to promote comfort, safety, enjoyment, accessibility, a sense of nature and usability. New parks and public open spaces shall be sited and designed to provide these qualities.

c) Public open spaces are to be located close to public streets, bicycle paths, and pedestrian routes in order that they may be easily viewed and entered by the public. Public open spaces are to be designed in a manner that readily identifies them as part of the public realm and which provides ready physical access to facilities for all members of the public.

d) Development and redevelopment for residential, commercial, and industrial development or redevelopment will contribute to the creation of public spaces in downtown Hamilton. The City will, through a separate study and municipal by-law, specify the method of contribution, in accordance with the following:
   i. allocation of property or a cash-in-lieu payment for a percentage of land area for residential, commercial, and industrial development;
   ii. allocation of property through a units per hectare basis for residential development.

e) Public Open Spaces will be designed to meet the needs of area residents, daytime use by downtown workers, and evening use by visitors to the downtown.

Gateway to Downtown



Mural

Sculpture

f) Public open spaces will be designed to urban standards characterized by:
- Direct at grade access to the streets on which they front with identified pedestrian access points;
- Continuity of design between the public spaces, the streets that surround them, and the buildings that face them;
- The identification of clearly defined pedestrian access routes from surrounding areas using streets;
- Adjacent on street parking where feasible with on-site parking discouraged, particularly at street level.

g) The City will undertake a study of the planning area, west of Bay Street, to identify opportunities for the development of an urban plaza.

2.4.7.2.2.1 Public Art

Every year public dollars are invested in improvements to the streets and spaces of the Downtown. New lighting, seating, special signage and landscaping or decorative features have been used to enhance the places where people gather.

Public and private improvement projects can also create features that tell us something about our City's culture and history or indicate that a particular location in the Downtown has special meaning. Special features of this kind are regarded as public art and provide an opportunity to involve the City's artistic community in their design. Public art projects can become major attractions in a Downtown. Many cities have decided to encourage artistic endeavour and the creation of special spaces by requiring that a portion of all funds used for public improvements be committed to public art.

a) Public improvement projects in the Downtown will allocate 1% of the project budget to the City's Public Art Program for use in the Downtown.

b) The provision of publicly accessible art in private development shall be supported through measures such as density increases. Such increases shall conform to the overall policies and design objectives of this Plan and shall be detailed in the Zoning By-law.

c) Public Art shall be included in the overall design and context of development to ensure it has an appropriate siting and location.

2.4.8 ESTABLISHING A NEW SYSTEM FOR DEVELOPMENT APPROVALS

2.4.8 Establishing a New System for Development Approvals

In 1995 changes to the Ontario Planning Act created a new planning tool called a Development Permit. Development Permits combine three existing approval processes, zoning, site planning and minor variance into one process. Development permits are intended to streamline approval and allow greater flexibility in the design of new projects. Portions of Downtown Hamilton have been selected as a pilot location for testing of the Development Permit system. This Secondary Plan provides policy direction for lands lying outside and within the Development Permit Area (DPA).

If monitoring and evaluation of this pilot indicates that the Development Permit system achieves its objectives the Development Permit Area may be expanded to include a wider area.

Make downtown living attractive

2.4.8.1 Secondary Plan Objectives

- ✓ Implement the Development Permit System within Downtown Hamilton to streamline approval processes and foster innovative design;
- ✓ Establish ongoing initiatives to inform the community about the new System and assist proponents in understanding and using it;
- ✓ Monitor and evaluate the Development Permit System to determine whether it can be applied elsewhere in the Downtown.

2.4.8.2 General Policies for the Downtown Development Permit Area

a) Lands within the boundaries of the Downtown Development Permit Area show on Schedule "L-1" to this Secondary Plan are designated as a Development Permit Area in accordance with Section 70.2 of the Ontario Planning Act and subject to the provisions for Development Permit Areas contained in the City's Official Plan. The policies applicable to lands within this area will be implemented through development Permits. Changes to the boundaries of the Downtown Development Permit Area will be achieved by amendment to the Plan.

b) The City will enact a Development Permit By-law for this area in accordance with Sections 34 and 70.2 of the Planning Act. Conventional zoning, minor variance and site plan control mechanisms will not apply within the Development Permit Area. All development within this area requires a Development Permit except for classes of development, which are exempted from this requirement by the Development Permit By-law.

2.4.8 ESTABLISHING A NEW SYSTEM FOR DEVELOPMENT APPROVALS

2.4.8 Establishing a New System for Development Approvals

In 1995 changes to the Ontario Planning Act created a new planning tool called a Development Permit. Development Permits combine three existing approval processes, zoning, site planning and minor variance into one process. Development permits are intended to streamline approval and allow greater flexibility in the design of new projects. Portions of Downtown Hamilton have been selected as a pilot location for testing of the Development Permit system. This Secondary Plan provides policy direction for lands lying outside and within the Development Permit Area (DPA).

If monitoring and evaluation of this pilot indicates that the Development Permit system achieves its objectives the Development Permit Area may be expanded to include a wider area.

Make downtown living attractive

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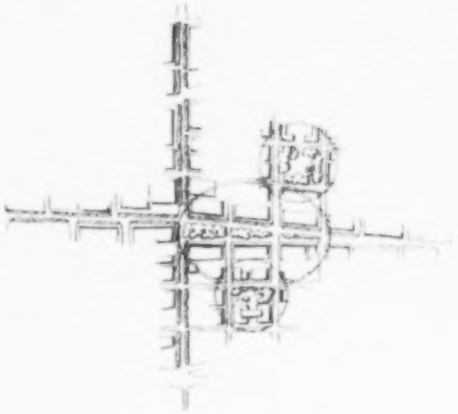


Build on existing strengths

c) The City will enact a Development Permit By-law upon issuance of the regulation under the Ontario Planning Act. The policies for the Development Permit Area specified in this plan form part of this plan and are applicable to the lands identified in this Plan upon the adoption of this Plan.

d) Lands within the boundaries of the Downtown Development Permit Area are shown on Schedule "L-1". The Downtown Development Permit Area (DPA) is further subdivided into four sub-areas as shown on Schedule "L-4". Specific policies have been developed for each of these sub-areas.
- The Courts DPA
- The Gore DPA
- The Lister DPA
- Rebecca/Wilson DPA

e) The City may consider amendments to the Development Permit By-law to increase permitted heights in order to encourage the retention of heritage buildings, facilitate the clean-up of contaminated sites or promote the creation of additional housing opportunities in the Rebecca/Wilson Area

f) In order to assess a proposed increase in height applicants may be required to submit a sun/shadow analysis, a wind impact analysis, and/or a visual impact analysis as part of the Development Permit approval process.

g) Should the Downtown Development Permit System not be implemented Schedule "L-1" will be amended to incorporate the land use designations shown on Schedule "L-8" contained in this Plan.

2.4.8.3 Policies for Development Permit Sub-Areas

2.4.8.3.1 Courts Development Permit Sub-Area

The Courts Development Permit Area describes the north and south sides of Main Streets from the east side of James Street to the west side of Catharine Street as shown on Schedule "L-4". There are several important public buildings in this area including the John Sopinka Courthouse and the former Wentworth County Courthouse. The plaza in front of the former Wentworth County Courthouse is the most important public space in this DPA.

a) Main Street contains a number of prominent buildings and public spaces, including the former Wentworth County Courthouse, which will be maintained and enhanced. Corner sites adjacent to the Courthouse Square are to be built out to the street line to frame and define this important public space. Development of the corner sites will address impacts on existing or proposed public transit stops.

b) Vacant parcels in this area shall be developed as mixed use, mid-rise buildings to strengthen Main Street's image as a primary residential and commercial avenue within the Downtown. Office, institutional, residential and retail uses will be accommodated in this area. The following policies will apply to building alterations or the redevelopment of a site:
- The height of new buildings and additions shall be mid-rise, for that portion of the property directly adjacent to or facing the Courthouse Square, in order to minimize any sun, shadow, or wind impacts on the

Courthouse Square and to avoid any adverse sun shadow, wind, or visual impacts on the adjoining Gore area.

- New buildings and additions will rein force the traditional building line fronting on the Courthouse Square.
- The height of these buildings or additions will not exceed the height of the existing John Sopinka Courthouse at the street level.

c) The permitted height may be increased above the normally permitted height, provided the height is massed so as to achieve the following:

- The additional height above the normally permitted height will not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study and will not introduce wind impacts on the public sidewalks on the north side of Main Street, the Courthouse Square, Gore Park or the and the intersections of Main Street and Hughson Street and Main Street and John Street;
- The additional height will be stepped back or terraced above the normally permitted height for buildings directly adjacent to or facing the Courthouse Square and will not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study on the public sidewalks on the north side of Main Street, the Courthouse Square, Gore Park or the and the intersections of Main Street and Hughson Street and Main Street and John Street;
- The additional height above the normally permitted height will not result in any adverse wind impacts on the Main Street public sidewalks, the Courthouse Square, Gore Park or the King Street public sidewalks; and,
- In addition to the foregoing, the City may permit an increase in height above the normally permitted height for decorative building elements such as towers or cupolas, provided that there are the additional height does not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study and will not introduce wind impacts on the public sidewalks, the Courthouse Square or Gore Park and that the proposed building element will maintain a harmonious relationship to adjoining buildings and to the building itself;
- Sun shadow impacts are measured on March 21st for the target areas of the public open space in front of the Wentworth County Courthouse and the north sidewalk on Main Street East.

d) All redevelopment of the former Wentworth County Courthouse will comply with the policies of this Plan and more specifically:

- The open space area will be maintained, including the pedestrian pathways;
- The massing of the building will be consistent with the massing of the former Wentworth County Courthouse;
- Redevelopment proposals will be subject to architectural peer review.

e) Signage will be designed and located to respect the architectural integrity of the host building.

Courthouse Square

Gore Park Building

2.4.8.3.2 Gore Development Permit Sub-Area

a) The Gore DPA describes the area immediately surrounding Gore Park as shown on Schedule "L-4". For over 150 years 'The Gore' has been the most important open space and public gathering place in Downtown Hamilton. The park, the adjacent sidewalks and streets define the open space. The surrounding buildings form the "walls" of The Gore. New development and redevelopment shall maintain the historic role and character of this space.

b) The City will retain and enhance the public open space attributes of Gore Park and the streetscape. The historic components of the Park will be retained, enhanced and restored. Streetscape improvements on the public rights-of-way and adjacent to privately owned lands will be undertaken in a manner contributing to the open space attributes of the Gore area.

c) The following policies apply to building alterations, development and redevelopment projects for the Gore area:

i. Buildings will be located along the front property line in order to provide a consistent frame for Gore Park and to retain the traditional building line. To that end, encroachments into the road allowance for outdoor dining areas may be permitted subject to applicable agreements.

ii. Limited articulation of the front facades may be permitted in order to create sheltered areas at ground level or to allow for incorporation of architectural design element provided that the sense of enclosure is maintained and that the articulation does not detract from the retention of the traditional building line.

iii. Buildings will be constructed to the side lot line in order to maintain the sense of enclosure and avoid gaps in the streetscape. The City may permit upper stories of the building to be stepped back or terraced from side lot lines providing that the sense of enclosure is maintained, that resulting building design harmonises with adjacent structures and that no adverse wind conditions are created.

iv. The height of new buildings and additions will be consistent with the traditional street wall defined by existing buildings as a height of 3-6 storeys at the street line.

v. Permitted heights may be increased provided that the upper storeys are stepped back or terraced so as to achieve the following:

- Additional height will not result in adverse shadow or wind impacts on the King Street sidewalks as compared with the impact of a six-storey building;
- Permitted heights may be increased for decorative building elements such as towers of cupolas provided the increase does not result in any of the adverse effects noted above;
- Sun shadow impacts are measured on December 21st for the target areas of the north sidewalk on King Street East.

d) Buildings will incorporate ground level pedestrian access to uses open to the public, windows and doorways that allow views into the building from the street and loading and services facilities at the rear of the structure.

e) In order to maintain the architectural and heritage character of The Gore, the facades of

new buildings and additions facing Gore Park will:

i. Utilize traditional materials of stone, wood or brick. Other materials may be used provided that the resulting building design maintains a harmonious relationship with adjacent buildings;
ii. Reflect or complement the traditional patterns of fenestration, masonry units and decorative features of the upper stories.

f) Design and location of signage will respect the architectural integrity of the host building. Awning signage will be encouraged.

g) The Gore area is part of the larger Downtown Community Improvement Area. The approved Community Improvement Plan will be implemented to support enhancements to public spaces and the facades of historic structures.

2.4.8.3.3 Lister Development Permit Sub-Area

The Lister DPA is a specialty retailing and urban entertainment area shown on Schedule "L-4". Redevelopment in this area should contribute to the existing street façade and uses. All proposals for development or redevelopment within the Lister DPA will be subject to the policies in this section.

a) The Lister Block, at the northeast corner of King William Street and James Street North should be adapted for a variety of new at grade uses, with residential uses, live-work lofts or offices in the upper storeys. All development or redevelopment of the Lister Block will incorporate the original façade and its component materials and the historic entrance of the building at the corner of King William and James Streets.

b) Future development at the Southeast corner of King William Street and James Street North should maintain and enhance pedestrian comfort at the street level.

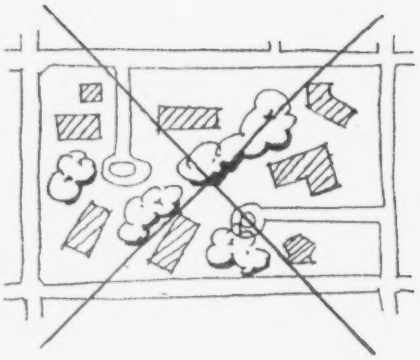
c) The revitalization of existing vacant stores is encouraged along the east side of James Street North to create an active, pedestrian-oriented area. The Prime Retail Streets policies of this Plan will apply to these properties.

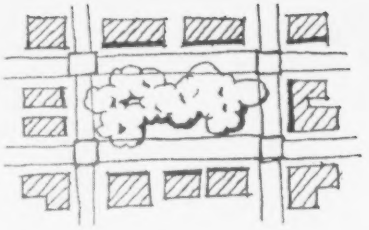
d) New mixed-use development is encouraged through loft conversions of existing industrial and warehouse buildings and through new buildings on existing vacant lots/surface parking lots.

e) The height of new buildings and additions will be consistent with the traditional street wall established by existing buildings and, therefore, should maintain a height of 3-4 storeys at the street line, with the potential for decorative higher building elements stepped back from the street line.

f) The following policies will apply to building alterations or the redevelopment of a site:

i. The building will be situated along the front property line in order to provide an uninterrupted building line.
ii. The height of new buildings and additions at the street line should be low-to-mid rise in order to maintain and enhance pedestrian comfort at street level.
iii. The permitted height may be increased above the normally permitted height, provided the upper storeys are stepped back or terraced so as to achieve the following:
   - The additional height above the normally permitted height will not exceed the preferred sun access as prescribed





Street orientation building development

Stone Lofts

in the Downtown Hamilton Sun/Shadow Study;

- The additional height above the normally permitted height will not result in increased wind impacts on the public sidewalks; and
- The additional height should not result in a height and scale that dominates the landscape and skyline, including views from the Gore Park area.
- The additional height will incorporate the use of reflective materials to minimize the scale and massing of the building;
- Sun shadow impacts are measured on March 21st for the target areas of the north sidewalk on King William Street and the west sidewalk on James Street North.

iv. In addition to the foregoing, the City may permit an increase in height above the normally permitted height for decorative building elements such as towers or cupolas, provided that there are no adverse shadow or wind impacts on the public sidewalks and that the proposed building element will maintain a harmonious relationship to adjoining buildings and to the building itself.

g) The building will incorporate ground level pedestrian access that will include the following: uses open to the public/accessibility from ground level including doorways and windows. Where possible, residential service areas should be designed to integrate with commercial retail/service space.

h) Despite the foregoing, residential uses may be permitted on the ground floor of a building where required to accommodate residential lobbies and service areas. Where possible, residential service areas should be oriented away from the front building façade.

i) Signage will be designed and located to respect the architectural integrity of the host building. Awning signs will be encouraged.

2.4.8.3.4 Rebecca/Wilson Development Permit Sub-Area

The Rebecca/Wilson DPA is currently dominated by surface parking lots. Over time, these parking lots will become more viable for low-to-mid rise residential development, with mixed uses on the ground floor, particularly those properties fronting onto Wilson Street.

a) New development should have an urban form featuring street oriented buildings that restore the traditional character of the Downtown area.

b) Accessory surface parking will be located at the rear of buildings, with access through a common mid-block driveway/alley system. Direct driveway access to individual units will be strongly discouraged.

c) Open space within new development may be provided in the form of new parkettes and internalized semi-private open spaces within courtyard areas created by new buildings.

d) A new neighbourhood park will be developed in the Rebecca/Wilson Area. The amount of amenity space provided within adjacent residential development may be reduced in recognition of the proximity of

this park. A parking strategy review will be undertaken for this area to balance the open space and parking needs for the Rebecca/ Wilson area.

e) In order to create an appropriate living environment, certain higher-intensity commercial and entertainment uses may be permitted only if the City is satisfied that such uses have been designed and located in such a way as to minimize any negative impacts on existing or planned residential uses.

f) The following policies will apply to building alterations or the redevelopment of a site:
   i. The height of new buildings and additions should be low-to-mid rise in order to maintain a pedestrian scale along the public streets.
   ii. The permitted height may be increased above the normally permitted height, provided the height is massed as to achieve a harmonious relationship with adjoining buildings, public spaces, and any planned development.
   iii. The development must comply with the Medium Density Residential policies of this plan.
   iv. Signage will be designed and located to respect the architectural integrity of the host building and to be compatible with a residential environment.

Rebecca/Wilson Sub-area

View of Downtown from Escarpment

2.4.9 IMPLEMENTATION

2.4.9.1 New Zoning and Signage Regulations

a) The City of Hamilton will create new regulation for zoning and signage in Downtown Hamilton in conformity with this Plan.

2.4.9.2 Muncipal Budget

a) The City will prepare a capital budget outlining the following:
   - Short, Medium, and Long Term capital projects arising from this plan;
   - Cost estimates for the capital projects identified above;
   - Special Studies and Projects arising from this plan, including timing for completion and their estimated cost.

2.4.9.3 Catalyst Projects

In the world of chemistry, a catalyst is a substance that speeds up a process of change. The term can be applied to certain initiatives in Downtown Hamilton. This Secondary Plan identified a number of design or public improvement initiatives. Within this group are a number of ideas that warrant immediate consideration because of their potential to demonstrate positive change in a short time period. The catalyst projects are projects to be undertaken by the City of Hamilton, to demonstrate two key strategies from this plan: Leadership in Downtown and Excellence in Public Spaces.

2.4.9.3.1 Leadership in the Downtown

a) The City of Hamilton commits to being a leader in Downtown Hamilton's issues. The City will promote Downtown through the following actions

i. Establish a Design Committee for Architectural Peer Review – This will contribute to an overall improved design in both private and public development in downtown Hamilton.
ii. Establish the Annual Downtown Community Builder Awards – These awards are for individuals, groups, and organizations that contribute to the positive growth and development of downtown Hamilton through building the downtown community and through downtown design.
iii. Be a catalyst for development – The City will develop a downtown property database that includes an office inventory, land available for development and redevelopment.

2.4.9.3.2 Excellence in Public Spaces

a) The City of Hamilton is a major landowner in downtown Hamilton. The City's responsibility as a landowner is the public realm - the look of the City, the design of its public spaces, and the image of the City. The City's commitment to excellence in public spaces is a key component. So too is the City's commitment to development that is built within the policies of this Plan, the Downtown Transportation Plan, and the Design Strategy for Downtown Hamilton. The following projects are important steps to establishing the City's commitment, and achieving its goals:

i. City Hall Forecourt/Art Gallery – Hamilton City Hall is the seat of local government in the City. The City Hall forecourt and the Art Gallery's court on Commonwealth Square are the major opportunity for a redesigned public space in downtown Hamilton. An integrated study, and development, is the key statement of the importance of public spaces in downtown Hamilton, and the City's commitment to excellence in design.

ii. Conversion of James Street and John Street – City Council has approved the conversion of portions of James and John Streets to two-way traffic. This project is a key opportunity to redesigning the public realm of major streets in downtown Hamilton – to meet the needs of vehicles, pedestrians, businesses, and the private realm.

iii. City Places – Phase II – Construction of this project at King and Walnut is an excellent showcase for the Prime Retail Streets policies of this plan. Equally as important, this project demonstrates how new housing can be successfully built in downtown Hamilton and how the public and private realms are integrated.

iv. Farmer's Market Study – The Hamilton Farmer's Market is one of the key features of downtown's uniqueness. An integrated study on the market's location, design, and access, and need, and a commitment to implementation will establish the importance of the Farmer's Market as an economic and public use in downtown Hamilton.

v. Gore Park Management Strategy – Gore Park is the prime public open space in downtown Hamilton. It is essential to the long-term health of the downtown that there is a strategy for Gore Park that includes broad-based community consultation and support.

vi. Downtown Parking – Several studies have identified the need for the City to address the parking issues in downtown Hamilton. Implementing the parking strategy from the Downtown Transportation Plan will be the first major step towards addressing the downtown parking issues and working to take underutilized land to its highest and best use.

vii. Harbour Linkages – Hamilton's waterfront is one of the prime areas of the City. Linking Hamilton Harbour to down town Hamilton has begun with the Ferguson Avenue Master Plan. Continuing this work so that there are continuous pedestrian and vehicular linkages is key to achieving the public realm goals of this plan, the bringing of the community to the downtown, and downtown's relationship to the broader City.

viii. Downtown Transit Terminal – A well located, easily accessible main transfer and layover point for the City's public transit system will make public transit an attractive mode of travel for downtown residents, workers, and visitors. The needs of HSR must be addressed at an early stage in the redevelopment of the downtown if public transit is to play a meaningful role in reducing the volume of auto traffic using the downtown street network.

Improving connections between the escarpment and the waterfront

2.4.10 INFORMATION TABLES

4.1 Table 1 – Mobility Streets

Mobility Street	Design Functions	Design Objectives
Bay Street	• Key linkage from Niagara Escarpment to Waterfront	• Widen public sidewalk where feasible. • Strengthen pedestrian linkages to east-west streets, key transit nodes and the Central Business District.
Cannon Street	• Primary east-west link on north side of Downtown • Serves a mix of residential and commercial areas within the Downtown	• Recognize through traffic needs • Establish safe pedestrian environment with appropriate separation from vehicles
Hunter Street	• Provides alternative east-west route on south side of Downtown • Provides important pedestrian linkages from major north-south streets to Hamilton GO Centre	• Improve pedestrian environment on east-west route • Improve north-south pedestrian connection to Gore Park
James Street	• Primary north-south street within the Central Business District • One of two Prime Retail Streets in the Downtown • Provides key pedestrian and traffic linkage to the Harbour and Escarpment	• Widen public sidewalks where feasible • Strengthen pedestrian linkages to east-west streets, transit hubs • Provision of additional on-street parking where feasible • Protection of views southward along James Street toward the Escarpment
John Street	• Important link between Downtown, the waterfront and adjacent residential areas • Support James and King Street Prime Retail Areas; • Escarpment Access	• Establish safe pedestrian environment with appropriate separation from vehicles • Better balance pedestrian, cycle and transit needs with vehicular needs • Provide connections to east-west streets into neighbourhood areas

Table 1 (continued)

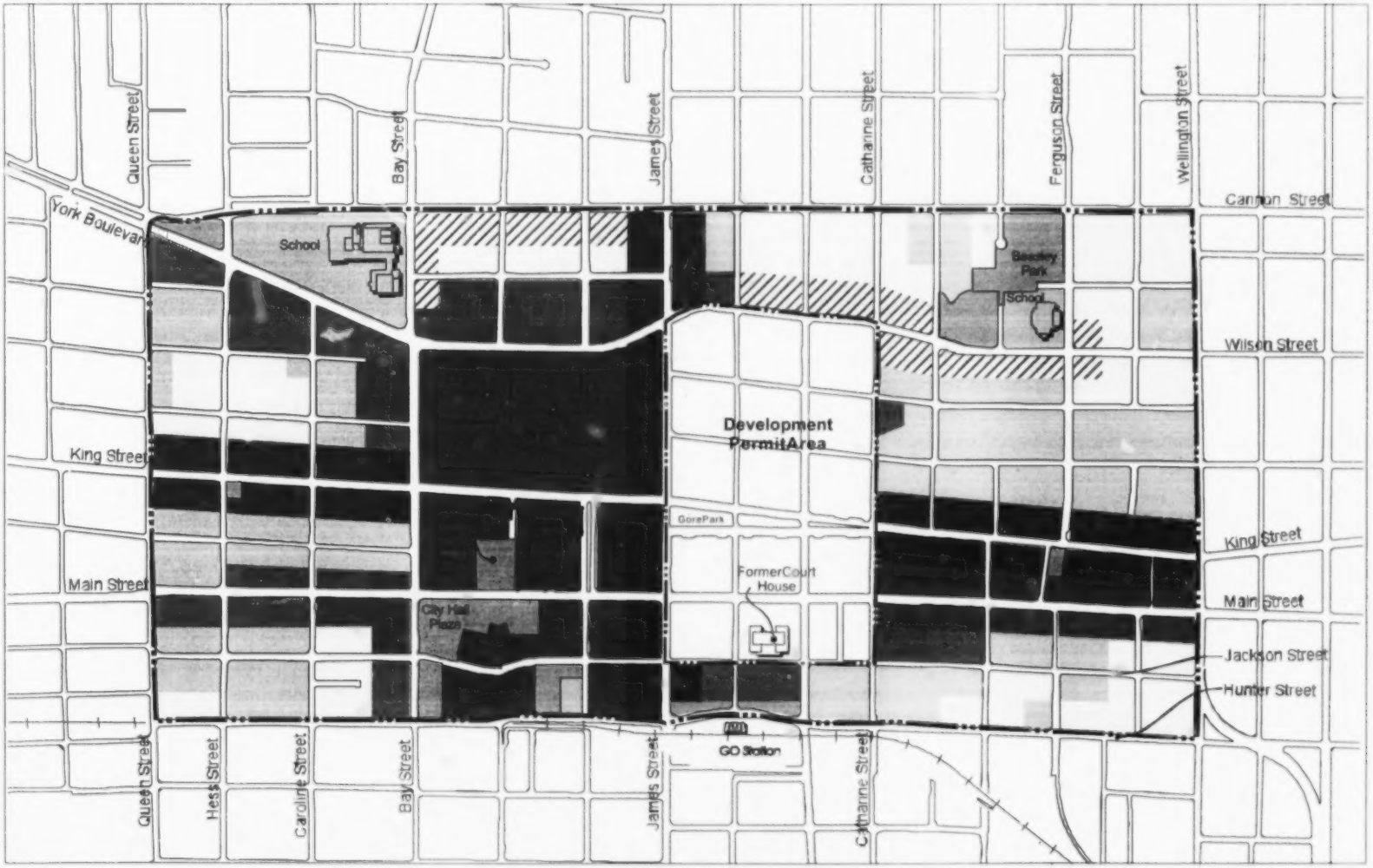
Mobility Street	Design Functions	Design Objectives
King Street	• Along with James Street one of two prime retail streets	• Widen public sidewalks where feasible; maintain north sidewalk in sun • Strengthen pedestrian linkages to east-west and north-south streets, transit hubs • Provision of additional on-street parking where feasible
Main Street	• Primary east-west through route on south side of Downtown Escarpment	• Recognize through traffic needs • Establish safe pedestrian environment with appropriate separation from vehicles • Strengthen pedestrian linkages to east-west streets, transit hubs • Provision of additional on-street parking where feasible
Queen Street	• Southbound arterial route through downtown core; has Escarpment Access • Western boundary of Downtown linking east-west routes to the Escarpment	• Widen public sidewalks where feasible • Strengthen pedestrian linkages to east-west streets, transit hubs • Provision of additional on-street parking where feasible
Wellington Street	• Mountain Access Route	• Recognize through traffic needs • Establish safe pedestrian environment with appropriate separation from vehicles
York Blvd / Wilson Street	• Key entry route and Gateway into the Downtown from 403. • Primary through route on north side of Downtown	• Recognize through traffic needs • Establish safe pedestrian environment with appropriate separation from vehicles

4.2 Table 2 - Secondary Streets

Traditional Street	Design Functions	Design Objectives
Caroline Street	• Important pedestrian linkage between Downtown, the waterfront and adjacent residential areas	• Provide pedestrian amenities along length of street • Partner with Bd. Of Education to extend pedestrian route through Sir John A. Macdonald site.
Catharine Street	• Neighbourhood linkage	• Improve vehicular/pedestrian separation • Provide improved pedestrian amenities
Ferguson Ave.	• See Ferguson Avenue Master Plan	• See Ferguson Avenue Master Plan
George Street	• Supports commercial activities along George • Key pedestrian linkage Hess Village and the Central Business District	• New development should address the street directly and provide at grade access. • Public improvements should be consistent with recent Hess Village improvements.
Hess Street	• Hess Street supports the Hess Village Specialty Commercial Area • Provides a linkage to the Waterfront area and adjacent neighbourhoods	• Within Hess Village the street will receive specialty treatment to recognize its commercial role. • Pedestrian amenities as feasible should be provided on remaining portions
Hunter Street	• Major east-west route in south side of Downtown • Links Durand and Corktown neighbourhoods • Provides pedestrian and vehicle access to GO Centre.	• Landscaped area on north side of Hunter between James and Catharine Street will be maintained and retained in redevelopment proposals. • Street improvements should provide greater separation between pedestrians and vehicles, particularly west of James Street.

Table 2 (continued)

Traditional Street	Design Functions	Design Objectives
Hughson Street	• Key north-south pedestrian route GO Centre and commercial areas to the south • Links GO Centre to Gore Park • Link Gore Park to new public spaces at Wilson • Linkage between Gore Park and the Hamilton GO Station	• Protect view from GO Centre to Gore Park • Create special pedestrian crossing at Hunter Street • Introduce pedestrian amenities along entire route • New development to provide direct, at grade access to street • No blank facades along street
Jackson Street	• Key pedestrian and vehicle route on south side of Downtown.	• Recreate public street Bay and MacNab • Integrate Jackson Street design with City Hall Forecourt on the east side of Bay Street
King William St.	• Focus of the King William Speciality Commercial Area • Supports King Street Prime Retail Area • Will link new neighbourhood park at John and Rebecca with adjacent residential and commercial uses adjacent residential areas	• Surface parking along street will not be accommodated. • Pedestrian amenities should be introduced along entire length of street



SCHEDULE L-1 - LAND USE AND DEVELOPMENT PERMIT AREA

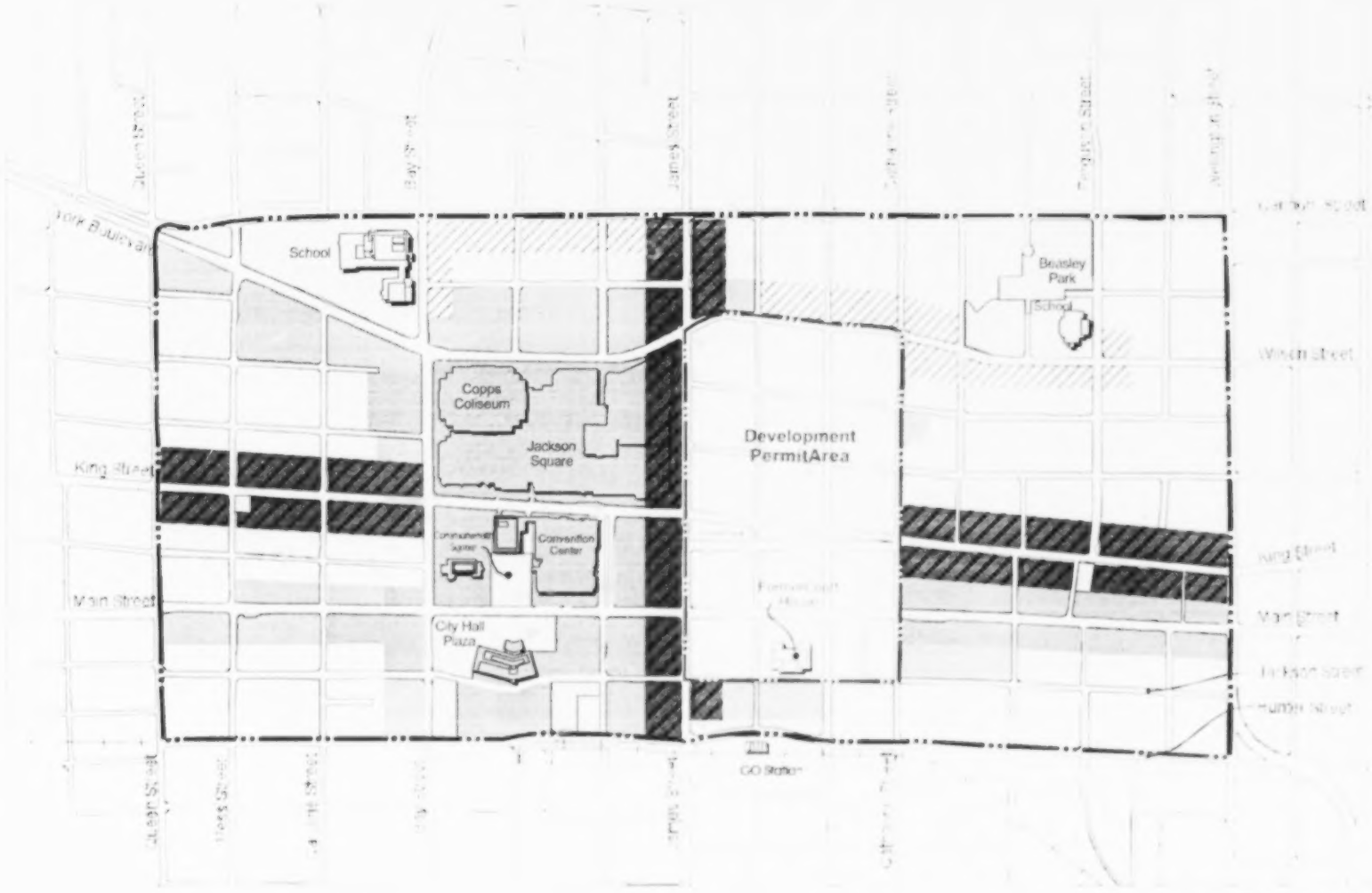
Legend

- Public Open Space
- Public Use
- Central Business District
- Prime Retail Streets
- Specialty Commercial
- Local Commercial
- Mixed Use
- Medium Density Residential
- Low Density Residential
- Station
- Planning Area Boundary
- DPA Boundary

Putting People First

The New Land Use Plan for Downtown Hamilton

July, 2001

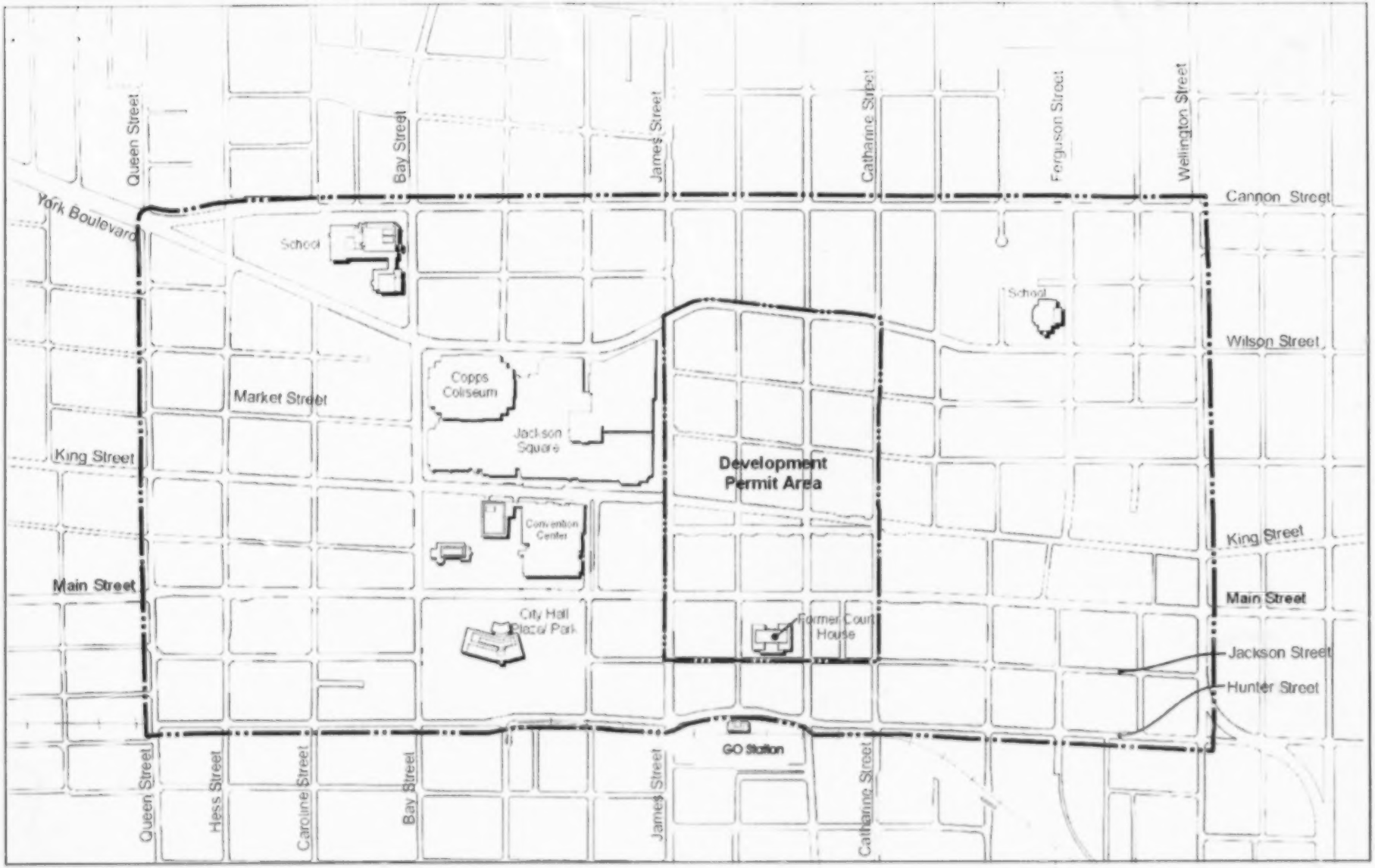


SCHEDULE L-1 - LAND USE AND DEVELOPMENT PERMIT AREA

Public Open Space
Central Business District
Specialty Commercial
Mixed Use
Low Density Residential
Planning Area Boundary
Public Use
Prime Retail Streets
Local Commercial
Medium Density Residential
Station
DPA Boundary

Putting People First

The New Land Use Plan for Downtown Hamilton



SCHEDULE L-2

PLANNING AREA BOUNDARY

Legend

Station

Planning Area Boundary

Development Permit Area Boundary

Landmark Buildings

Planning Area

Development Permit Area

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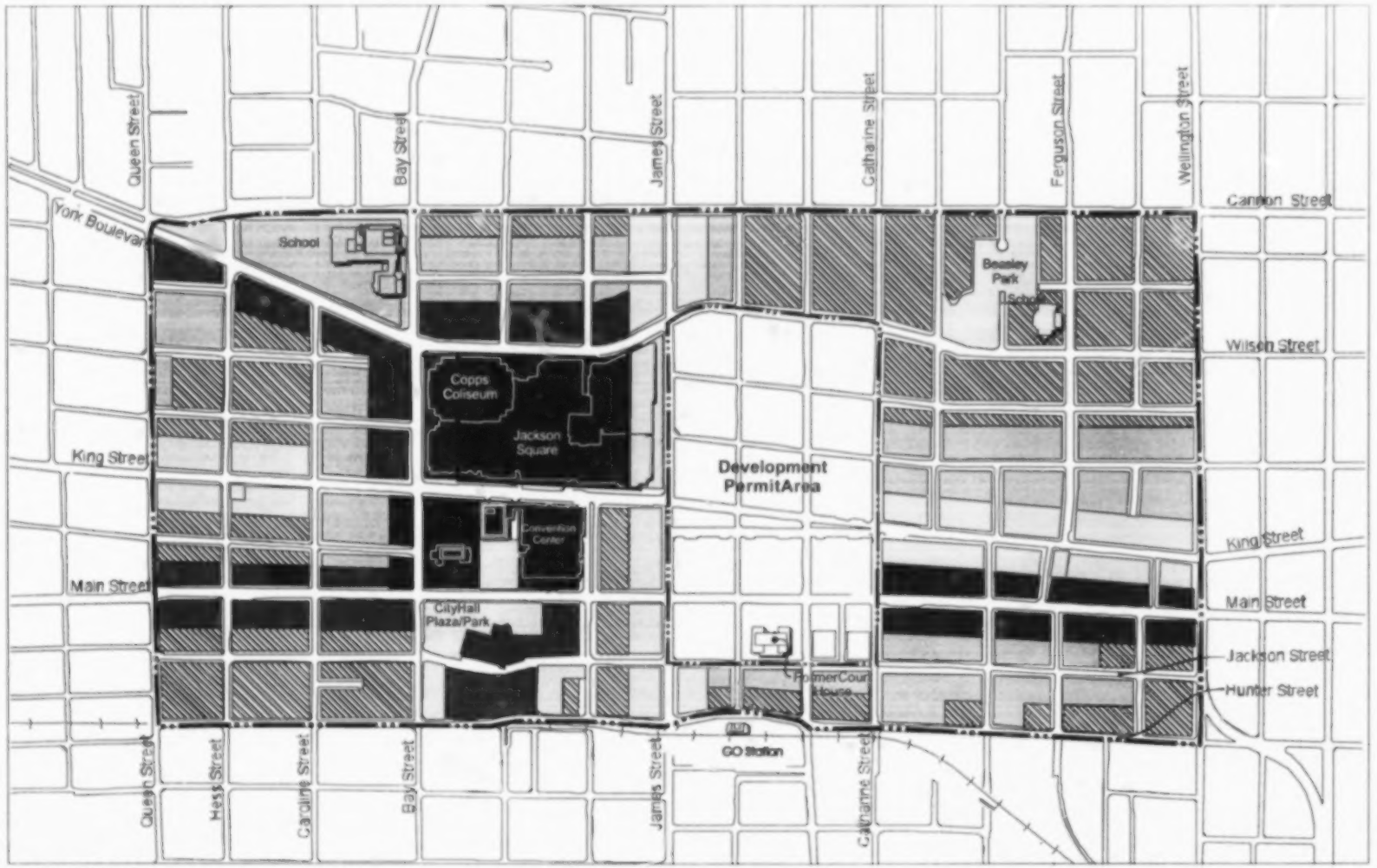
The New Land Use Plan for Downtown Hamilton

July 2001



SCHEDULE L-3

BUILDING HEIGHT

Legend

15 Stories | 8 Stories | 3-6 Stories | Parks/ Open Space | Planning Area Boundary

12 Stories | 6 Stories | 4 Stories | Station | DPA Boundary

Note: Heights are subject to the policies of this plan.

Putting People First

The New Land Use Plan for Downtown Hamilton

July, 2001

SCHEDULE L-3

BUILDING HEIGHT

Legend

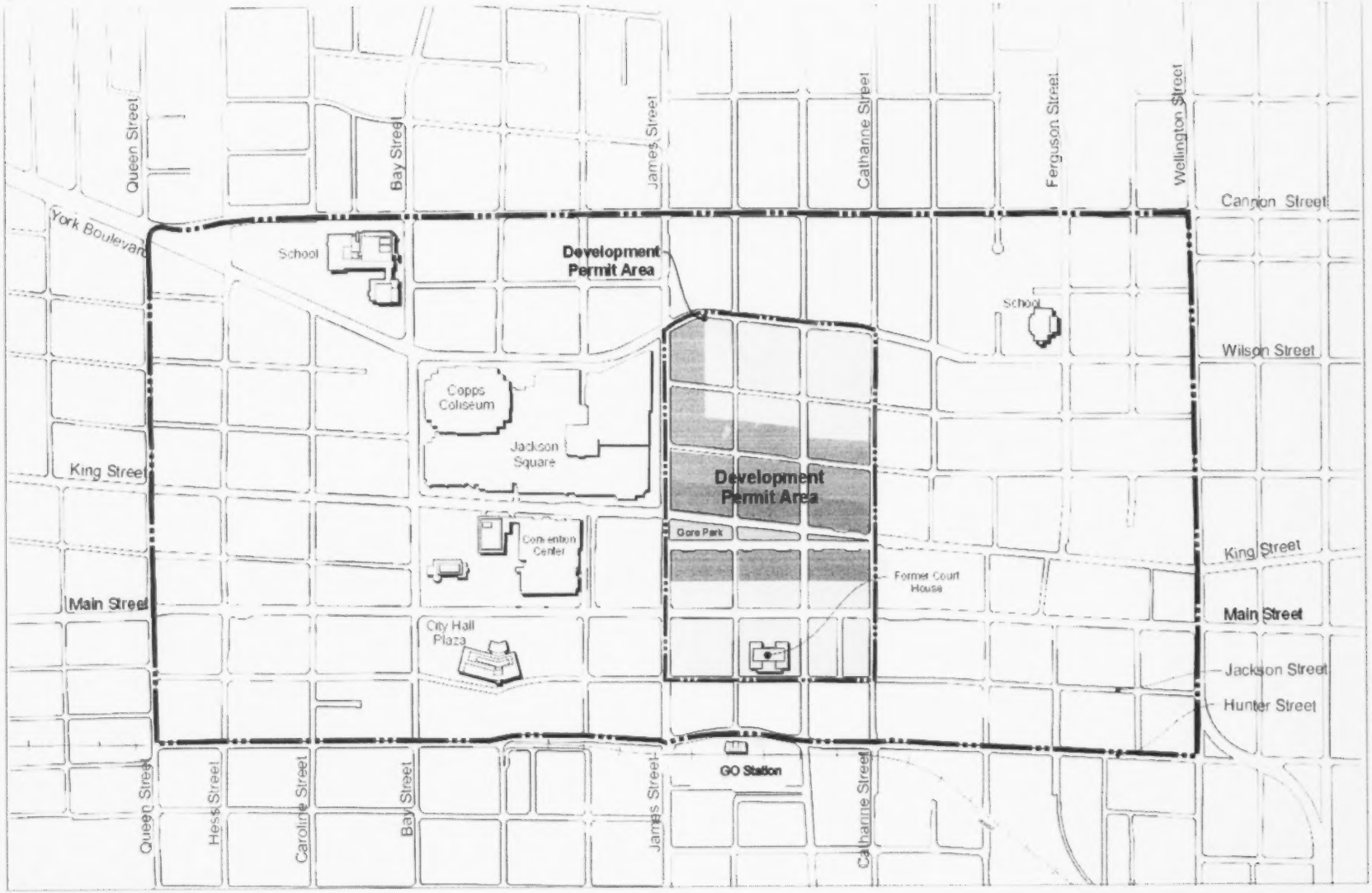
- 15 Stories
- 12 Stories
- 8 Stories
- 6 Stories
- 3-6 Stories
- 4 Stories
- Parks/ Open Space
- Station
- Planning Area Boundary
- DPA Boundary

Note: Heights are subject to the policies of this plan.

Putting People First

The New land Use Plan for Downtown Hamilton

July, 2001



SCHEDULE L-4

DEVELOPMENT PERMIT SUB-AREAS SCHEDULE

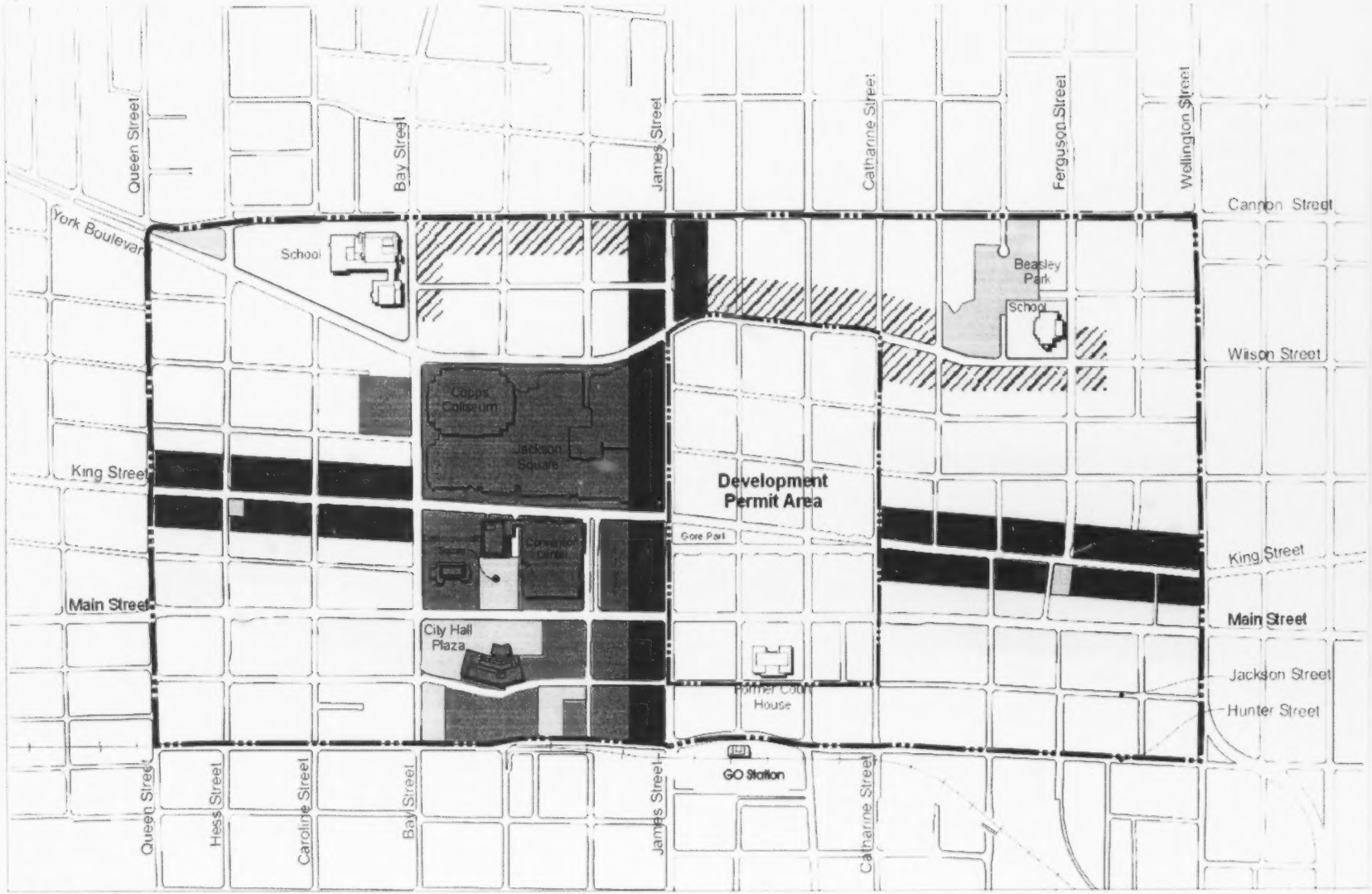
Legend

- Rebecca/Wilson DPA
- The Gore DPA
- Planning Area Boundary
- The Lister DPA
- The Courts DPA
- DPA Boundary

Putting People First

The New Land Use Plan for Downtown Hamilton

July, 2001



SCHEDULE L-5

DOWNTOWN COMMERCIAL AREAS

Legend

- Parks/ Open Space
- Schools
- Central Business District
- Prime Retail Streets
- Specialty Areas
- Main Street Corridor
- Local Commercial Area
- Planning Area Boundary
- DPA Boundary

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SCHEDULE L-4

DEVELOPMENT PERMIT SUB-AREAS SCHEDULE

Legend

- Rebecca/Wilson DPA
- The Gore DPA
- Planning Area Boundary
- The Lister DPA
- The Courts DPA
- DPA Boundary

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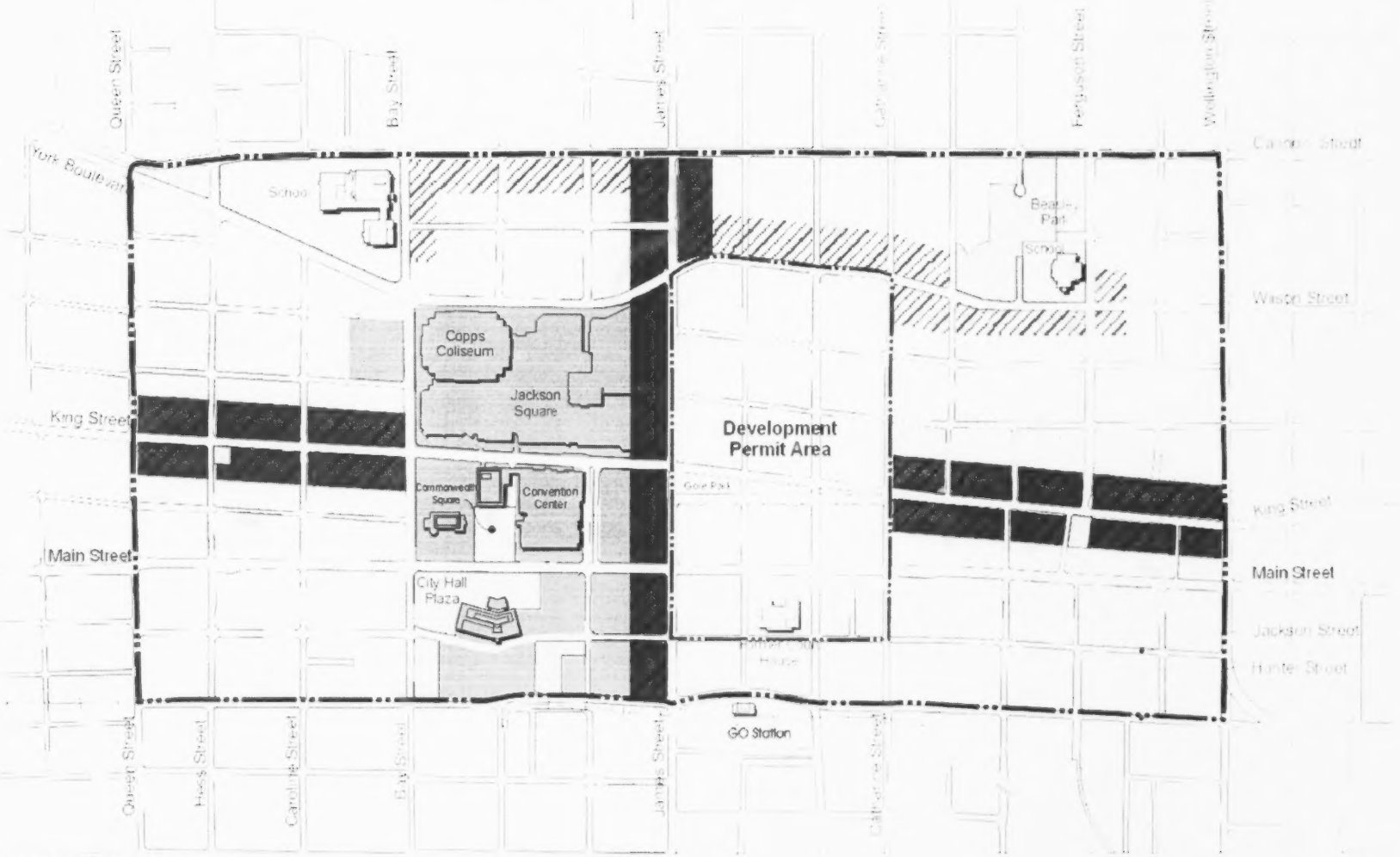

SCHEDULE L-5

DOWNTOWN COMMERCIAL AREAS

Legend

- Parks/ Open Space
- Schools
- Central Business District
- Prime Retail Streets
- Specialty Areas
- Main Street Corridor
- Local Commercial Area
- Planning Area Boundary
- DPA Boundary

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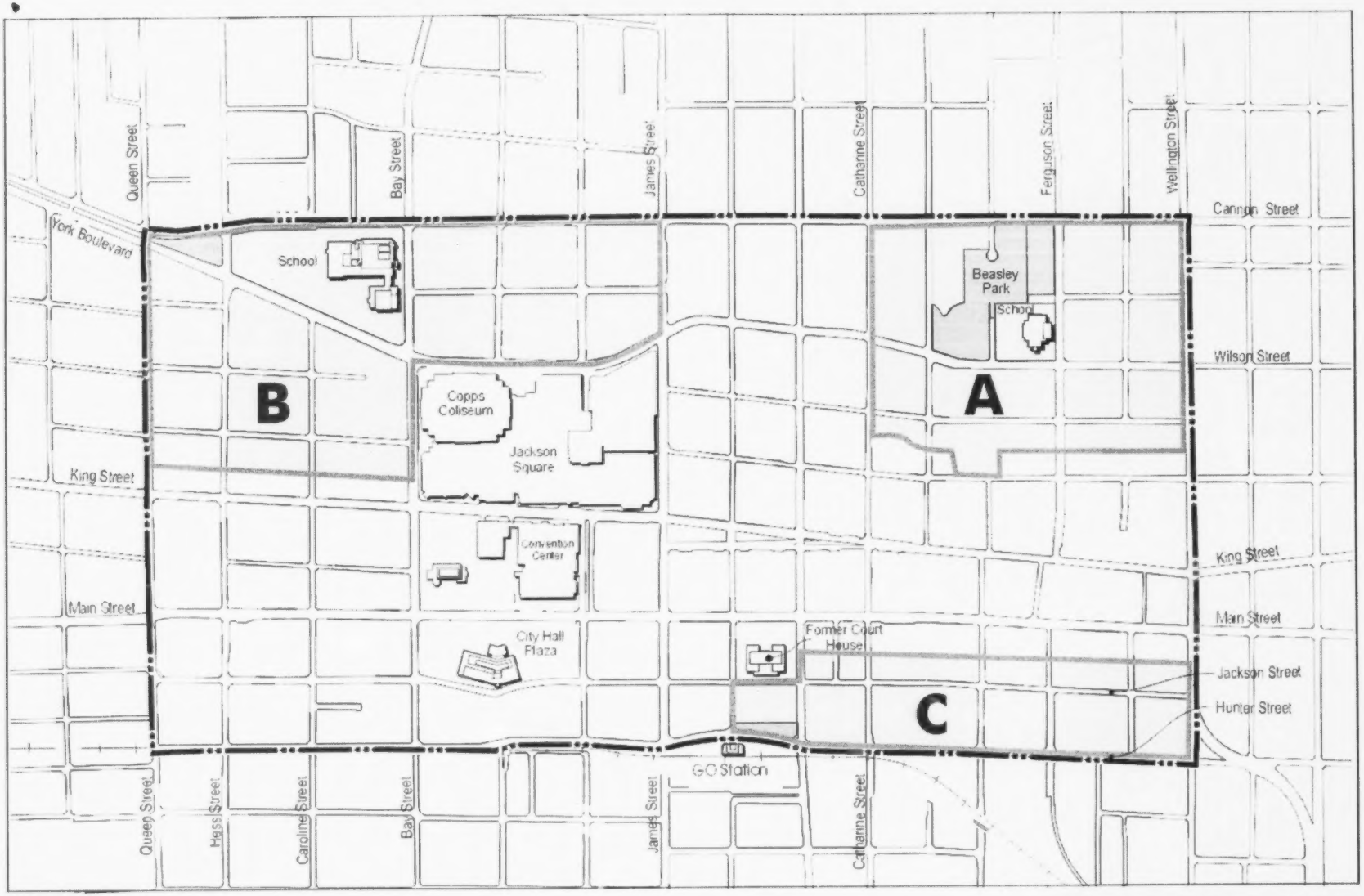

SCHEDULE L-6

SPECIAL DOWNTOWN RESIDENTIAL POLICY AREAS

Legend

- Parks/ Open Space
- Schools
- Key Civic Building
- Residential Precincts
- Station
- Area A Beasley
- Area B Central Area
- Area C Corktown

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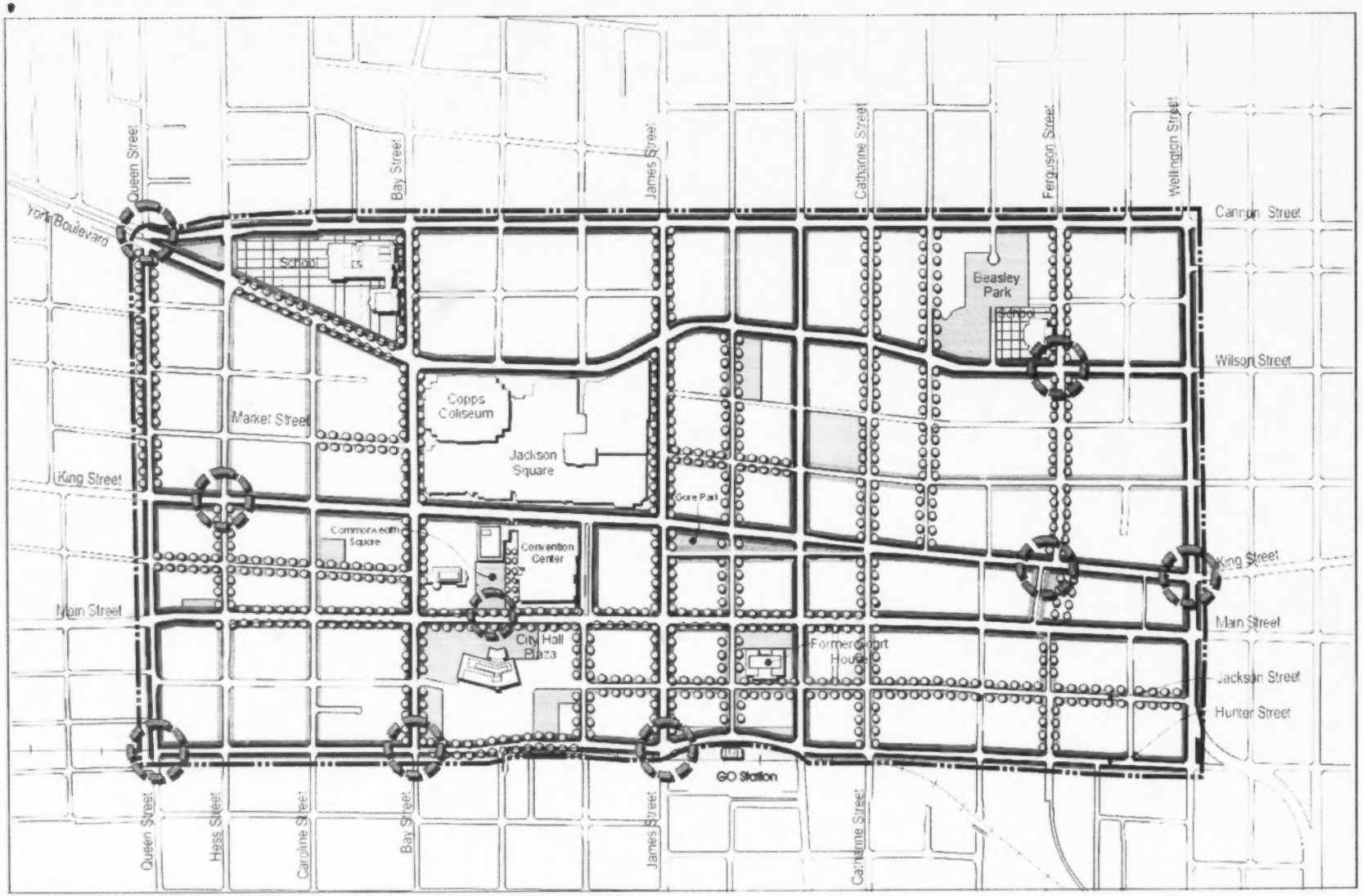

SCHEDULE L-7

STREETS, GATEWAYS & PUBLIC SPACES

Legend

Parks/ Open Space

Schools

Mobility Streets

Traditional Streets

Local Streets

Streets with Special Streetscaping

Downtown Gateways

Key Destinations

Planning Boundary

Station

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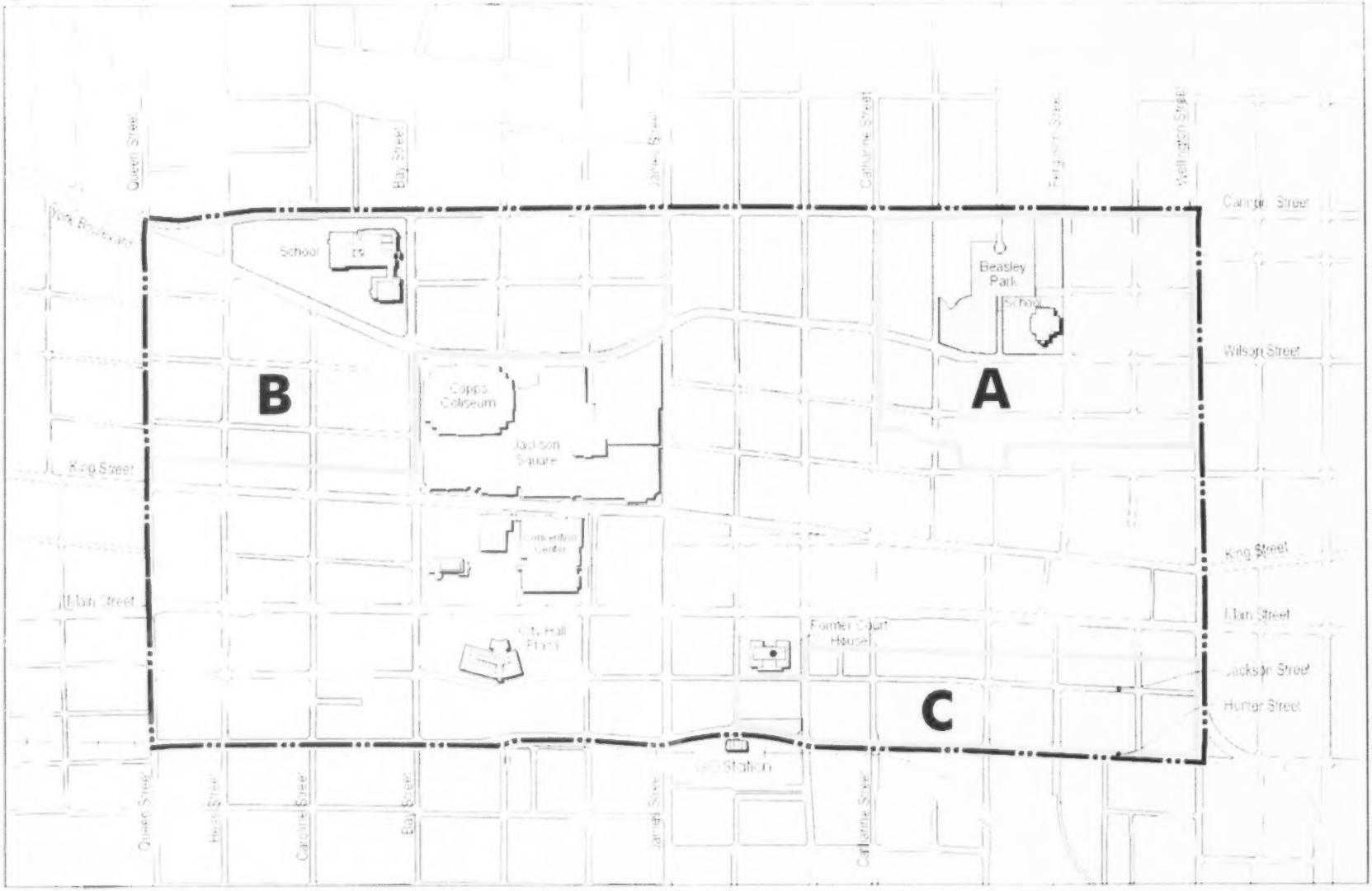

SCHEDULE L-6

SPECIAL DOWNTOWN RESIDENTIAL POLICY AREAS

Legend

- Parks/ Open Space
- Schools
- Key Civic Building
- Residential Precincts
- Station
- Area A Beasley
- Area B Central Area
- Area C Corktown

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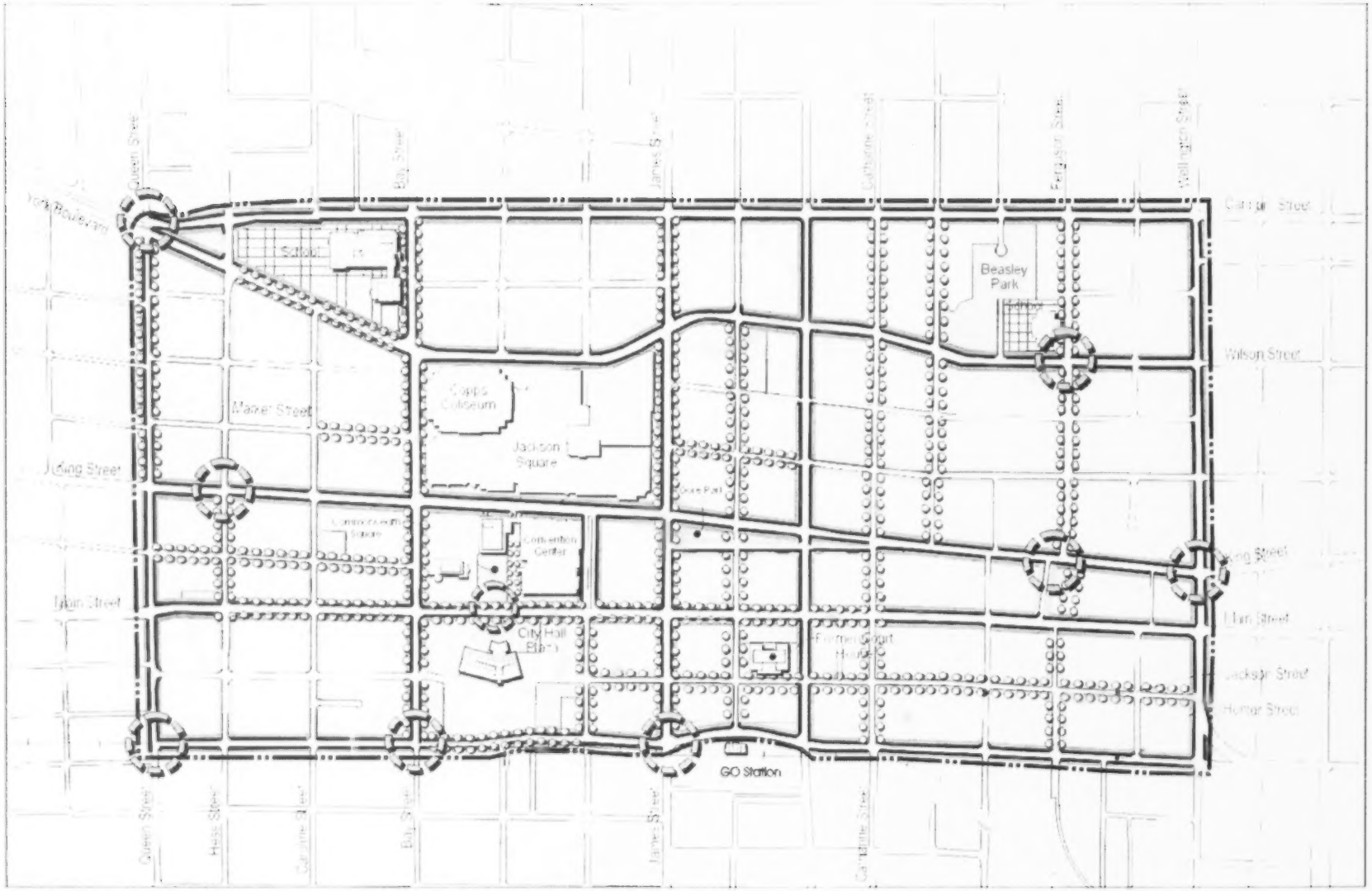

SCHEDULE L-7

STREETS, GATEWAYS & PUBLIC SPACES

Legend

- Parks/ Open Space
- Schools
- Mobility Streets
- Traditional Streets
- Local Streets
- Streets with Special Streetscaping
- Downtown Gateways
- Key Destinations
- Planning Boundary
- Station

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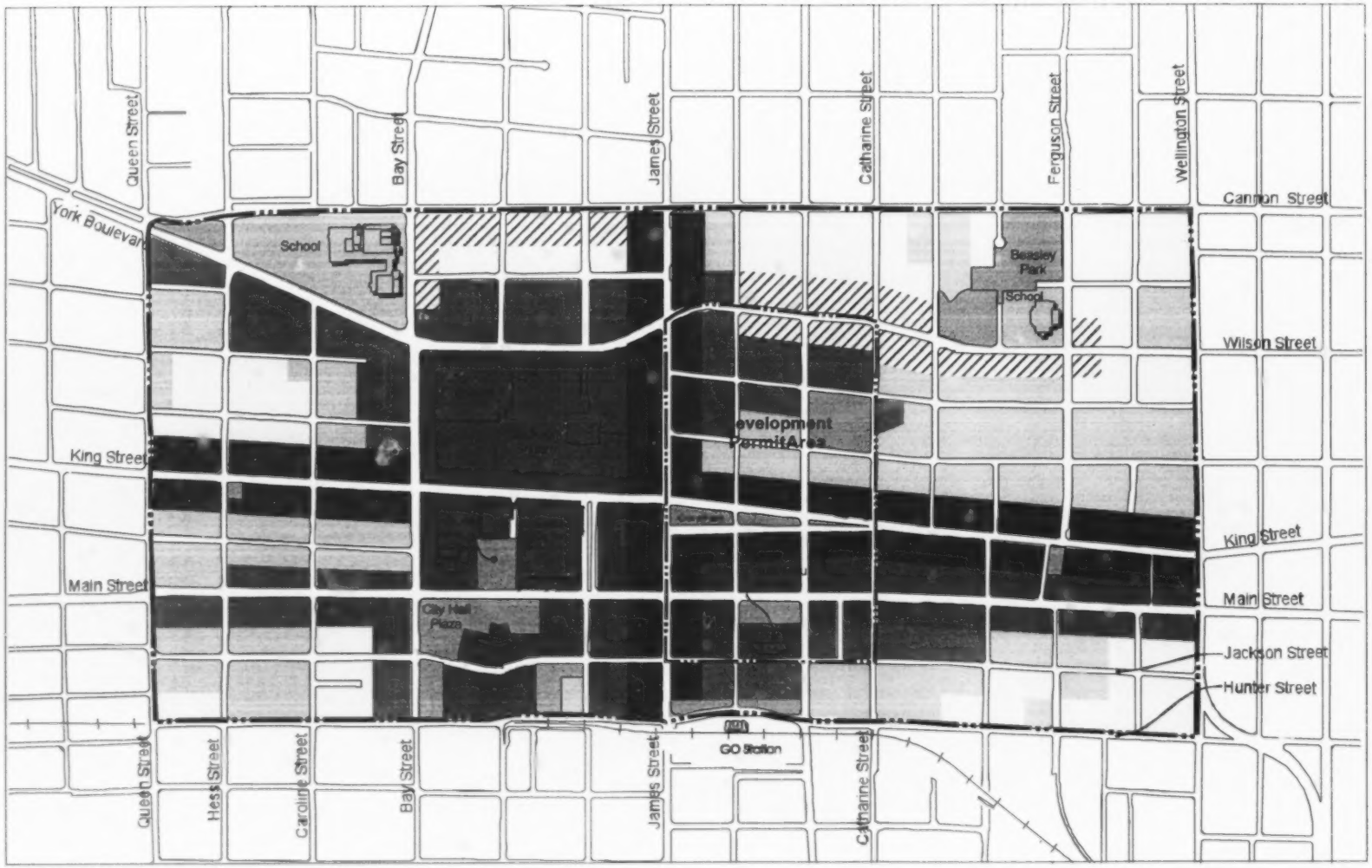

SCHEDULE L-8

OVERALL LAND USE STRATEGY

Legend

- Public Open Space
- Central Business District
- Specialty Commercial
- Mixed Use
- Low Density Residential
- Planning Area Boundary
- Public Use
- Prime Retail Streets
- Local Commercial
- Medium Density Residential
- Station
- DPA Boundary

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July, 2001

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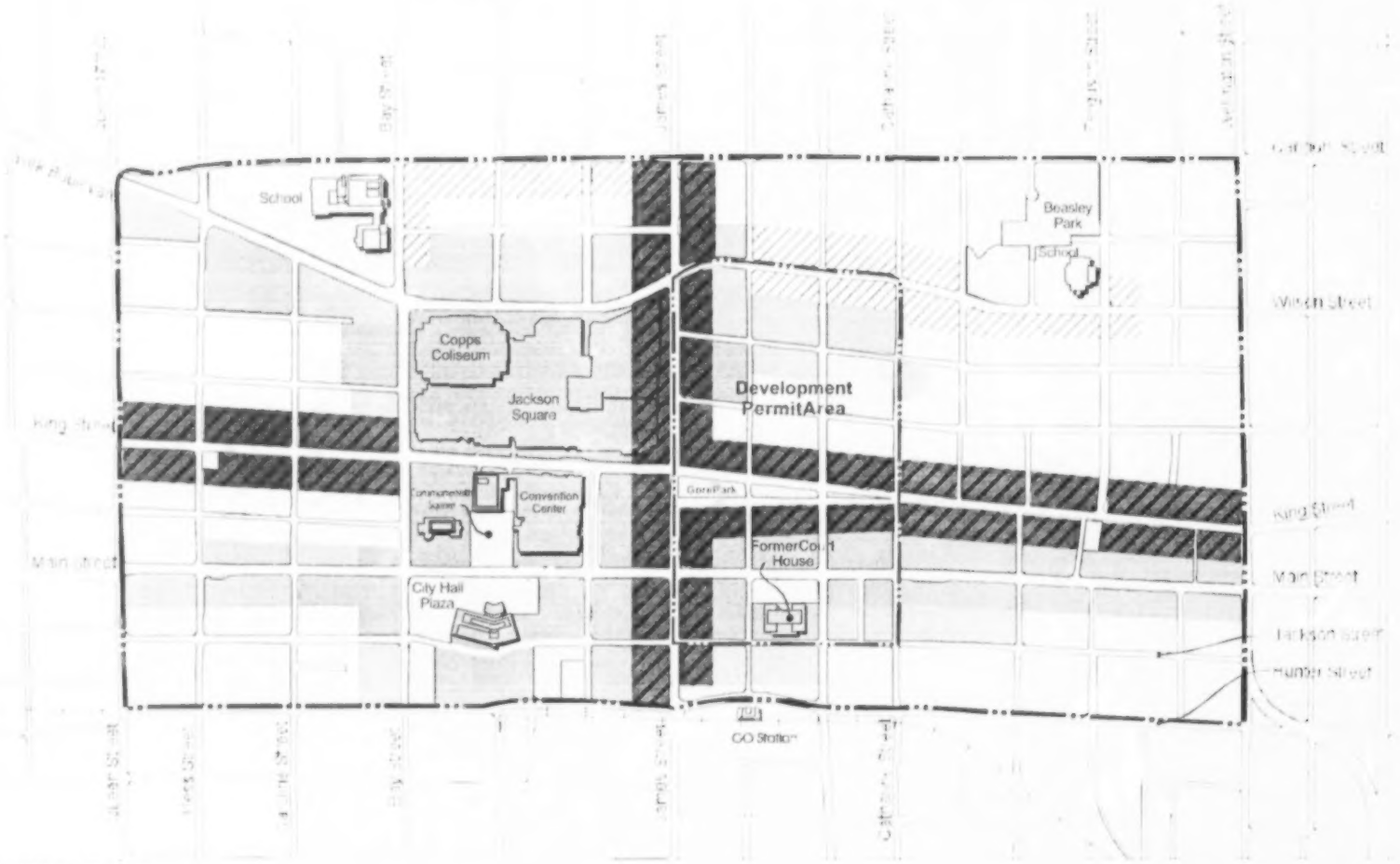

SCHEDULE L-8

OVERALL LAND USE STRATEGY

Legend

- Public Open Space
- Central Business District
- Specialty Commercial
- Mixed Use
- Low Density Residential
- Planning Area Boundary
- Public Use
- Prime Retail Streets
- Local Commercial
- Medium Density Residential
- Station
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